

United States of America, State of Indiana
v.
Atlantic Richfield Company and E.I. Du Pont De Nemours and Company
No. 2:14-cv-00312

Memorandum in Opposition to Applicants' Motion to Intervene

Exhibit C

Declaration of Janet Pope

(2) Secretary, EPA R5 Air and Radiation Division (1988-1991); (3) Clerk Typist, EPA R5 Air and Radiation Division (1986-1988).

3. I have received specialized professional training to support my position as a CIC, approximately 3-4 training courses over a 5 year period. These training courses have been given by experts employed by U.S. EPA as well as experts employed outside of the Agency. I also take the annual training which is required for me to manage certain EPA contracts, as well as annual training regarding health & safety in the field and my work with the EPA Response Support Corps (an agency-wide cadre of volunteers who are called up during high level emergencies and events of national significance).

4. I have reviewed records and documents pertaining to the public outreach activities that EPA has engaged in at the Site. I describe some of those records and documents below and I have included some of them as attachments. The statements in this Declaration are based on my personal knowledge and on the information provided to me by other EPA employees.

COMMUNITY INVOLVEMENT COORDINATOR DUTIES

5. EPA CICs are assigned to specific projects to assist communities in their interaction with EPA and ensure that technical staff is aware of issues that concern the public in relation to the work EPA is doing. As liaisons between EPA technical project managers and the community, CICs provide opportunities for two-way communication throughout the life of a project. CICs must also ensure that EPA meets the community involvement requirements of CERCLA and the implementing regulations for CERCLA (known as the National Contingency Plan or NCP).

6. In the case of a CERCLA removal action (which have happened at the Site), those community involvement requirements include: (1) EPA must establish an information repository for the Site and publish information regarding the repository for each site. As the CIC, I identify the location of the repository, arrange for information to be placed at the repository, and arrange for publishing information about the availability of the repository – typically in a local newspaper of general circulation; and (2) EPA must establish an administrative record upon which EPA bases the selection of a response action which is made available at or near the Site. As the CIC, I arrange for the administrative record to be placed at the repository and update these records as appropriate.

7. In the case of a CERCLA remedial action (which also has been happening at the Site), community involvement requirements include: (1) EPA must publish proposed rules and accept public comment on those proposed rules (e.g., proposing a site for the National Priorities List); (2) to the extent practicable, EPA must conduct interviews with local officials, community residents, public interest groups, or other interest or affected parties, to solicit their concerns and information needs, and to learn how and when citizens would like to be involved in the Superfund process. As the CIC, I arrange for interviews to be conducted, conduct interviews, and keep records of the interviews; (3) EPA must prepare a Community Relations Plan (also known as the Community Involvement Plan) for every site based on community interviews and other relevant information, specifying the community relations activities that the lead agency expects to undertake during a remedial response. As the CIC, I draft the Community Involvement Plan; (4) EPA must establish an information repository for each site and publish

information regarding the repository for each site. As the CIC, I identify the location of the repository, arrange for information to be placed at the repository, and arrange for publishing information about the availability of the repository – typically in a local newspaper of general circulation; (5) EPA must establish an administrative record upon which EPA bases the selection of a response action which is made available at or near the site. As the CIC, I arrange for the administrative record to be placed at the repository; (6) EPA must publish notice, including availability and brief analysis, of any proposed plan it issues for a site. As the CIC, I arrange for publishing information about the availability of the proposed plan – typically in a local newspaper of general circulation; (7) EPA must provide a reasonable opportunity for written and oral comments on a proposed plan. As the CIC, I arrange for the mailing of the proposed plan to interested persons and arrange a location for a public meeting during the designated public comment period; (8) EPA must keep a transcript of the public meeting held during the public comment period for a proposed plan. As the CIC, I arrange for a court reporter to be present at the public meeting for any proposed plan; (9) EPA must publish notice of the availability of any final Record of Decision which is issued for a site.

8. In 2006, Joe Munoz was the primary CIC for the USS Lead Site. I assisted Mr. Munoz during that time. In January 2007 Joe Munoz left EPA, and I became the primary CIC for USS Lead. I have been the primary CIC for the USS Lead Site since February 2007. Charles Rodriguez has been assisting me with CIC tasks at the Site since October 2014.

9. As a CIC for the USS Lead Site, I have performed all of the functions described in Paragraph 5 for the Site. I have also fulfilled CERCLA's community involvement requirements for the Site, as described in Paragraphs 6 and 7.

10. In the case of the USS Lead Site, I have performed additional public involvement activities not required by CERCLA or the NCP and certainly not typical of most Superfund sites. In addition, EPA assigned Mr. Rodriguez to this site so that a Spanish-speaking CIC could assist me. He and I have made ourselves a continuous presence in the Calumet neighborhood from the beginning of July 2016 to the present. The activities listed below will show the door-to-door canvassing we have done to deliver hundreds of fact sheets and other notices to residents in the Calumet community. In addition, we staffed a CIC desk at EPA's Incident Command when it first opened in trailers at 148th Street and McCook Avenue in July 2016. One or both of us was typically there every day from 7 a.m. to 7 p.m. Monday through Friday and many Saturdays. We continued to staff a CIC desk when EPA's Incident Command moved to the Carrie Gosch Elementary School. Again, one or both of us staffed that desk from 7 a.m. to 7 p.m. Monday through Friday and many Saturdays. We staffed the CIC desk at the Carrie Gosch Elementary School until December 9, 2016, at which time we moved back into the trailers at 148th Street and McCook Avenue. We often field phone calls outside of these work hours and on Sundays. We try to be available to residents at all reasonable times. Mr. Rodriguez and I personally know many of the residents of the Calumet neighborhood and they know us. Our outreach is personal and extensive.

11. As the Community Involvement Coordinator for the Site, I am responsible for maintaining an accurate and up-to-date mailing list to be used for general EPA mailings,

including fact sheets, site updates, invitations to meetings and events and other information related to activities and developments at the Site. That list consists of the addresses of all residences within two miles of the Site, as well those of state and local officials, businesses, organizations, media representatives and other interested parties. This list is updated before any mailing is sent. Mailings sent to residences are addressed to “current resident.” This mailing list is referenced herein as the “Site mailing list.”

ACTIVITIES UNDERTAKEN IN RELATION TO THE USS LEAD SITE

2006 – Joe Munoz, Primary CIC, Janet Pope Assisting

12. January 2006:

a. EPA established a local information repository at East Chicago Public Library for materials related to the Site. The repository is essentially a collection of Site documents, including the Remedial Investigation and Feasibility Study, the Human Health Risk Assessment, the Record of Decision selecting the final remedy, and other Site documents, and is updated as new documents are produced. The information repository has remained at the East Chicago Public Library since January 2006.

b. EPA established a Site web page. The webpage is available at <https://www.epa.gov/uss-lead-superfund-site>. It also includes the major site documents and contact information for the EPA employees responsible for the Site.

13. March 2006: EPA mailed a Fact Sheet to the Site mailing list entitled “EPA to Begin Testing for Lead Contamination in Yards”, explaining the sampling process, and announcing informational meetings at the Washington Elementary School in East Chicago (March 22, 2006) and the Carrie Gosch School in East Chicago (March 23,

2006). The Fact Sheet also included information to help residents reduce their lead exposure. Attachment C-1.

14. March 22-23, 2006: EPA held informal meetings with residents to explain EPA's soil sampling process and asked for access agreements to be signed by property owners for sampling at the Site. A total of 63 people signed in at the meetings.

15. June 2006: The EPA Remedial Project Manager provided information to City of East Chicago Councilwoman Lindsay regarding the Superfund process.

16. December 2006: EPA mailed postcards to residents thanking them for letting EPA take samples from their yards.

2007 – Janet Pope, Primary CIC (Charles Rodriguez assisting since October 2014)

17. 2007: EPA conducted some limited sampling of residential areas.

18. November 8, 2007: EPA and the Indiana Department of Environmental Management held a public meeting at the 151st Street Recreation Center in East Chicago regarding the RCRA post-closure operation and maintenance at the former USS Lead Refinery. At that time, the public was informed that additional activities associated with the USS Lead Facility would be handled by the Superfund Division of EPA going forward. Approximately 47 people signed in at the meeting. Attachment C-2.

19. December 5, 2007: EPA held a Superfund informational public meeting regarding the USS Lead Superfund Site at the Carrie Gosch Elementary School in East Chicago. Approximately 36 people signed in at the meeting. At the meeting, EPA staff presented information about current and future activities at the Site and the NPL site listing process. The public was informed that EPA was re-evaluating current conditions at the Site to determine if it was eligible for listing on the NPL. Attachments C-3, C-4, C-5.

2008

20. June-September 2008: EPA removed lead-contaminated soils from 13 residential properties at the Site.

21. November 20: EPA sent letters to residents at the 13 properties confirming that removal of lead contaminated soil was completed on their property and that post-removal sampling showed lead levels in soil which are protective of children's health (less than 400 parts per million).

2009

22. April 9, 2009: Site added to the National Priority List (NPL) (effective May 11, 2009) (published in Federal Register at 74 Fed. Reg. 16126 (Apr. 9, 2009)).

23. Summer 2009: EPA collected additional access agreements from residents of the Site.

24. December 7 and 8, 2009: EPA conducted information sessions about the residential testing process for the Site. Attachment C-6.

25. December 2009, EPA:

a. Mailed to the Site mailing list a Fact Sheet entitled "EPA to Begin Testing for Lead Contamination" and "EPA a Comenzar Las Pruebas de Contaminacion de Plomo in Patios" (English and Spanish) regarding sampling activities at the Site and announcing an informational meeting to be held at East Chicago Public Library, 2401 E. Columbus Drive in East Chicago on December 17, 2009. This Fact Sheet included information for the community regarding the technical assistance grant program which provides up to

\$50,000 to community groups to hire technical advisors so citizens can better understand and interpret Superfund site-related technical information. Attachments C-7 and C-8.

b. Mailed postcards to residents of the Site announcing sampling activities (in English and Spanish).

c. Placed ads in the Gary Post Tribune and La Raza (Spanish language newspaper) announcing the meeting. Attachment C-9 (Gary Post Tribune ad).

26. December 17, 2009: EPA held an informational meeting at the public library in East Chicago to update the community about plans to sample and cleanup residential soils at the Site. (The yard testing was part of the remedial investigation process discussed further in the declaration by Douglas Ballotti at para. 14.) Approximately 16 people signed in at the meeting.

27. December 2009: EPA collected soil samples from the yards at the Site.

2010

28. March 9, 2010: EPA attended a meeting with approximately two dozen representatives from various departments of the City of East Chicago. The purpose of the meeting was to update them on EPA activities at the Site.

29. April 2010: EPA mailed residents sampling results from the December 2009 residential sampling event.

30. May 23, 2010 and June 2, 2010: EPA placed ads in the Northwest Indiana Times announcing community interviews (in English and Spanish) to develop a Community Involvement Plan (“CIP”). Attachments C-10 and C-11. The CIP laid out EPA’s approach and rationale for community involvement efforts and activities EPA was planning throughout the Superfund process for the Site.

31. June 8-10, 2010: EPA held community interviews of residents of the Site to develop the Community Involvement Plan (CIP). A Spanish translator was on hand to assist. EPA interviewed 25 residents. During the interviews, EPA distributed two handouts describing community involvement opportunities available at each step of the Superfund process. Attachments C-12 and C-13. One handout referenced the formation of a Community Advisory Committee (CAG) as an avenue for community involvement. Attachment C-12.

32. July 24, 2010: EPA personnel participated in Calumet Day (a community celebration with entertainment, food, etc.) and distributed lead exposure prevention information at the invitation of City of East Chicago Councilwoman Lindsay.

33. August 2010: EPA collected additional samples and collected additional access agreements for properties at the Site.

2011

34. April 2011: EPA published the Community Involvement Plan, based on interviews with 25 East Chicago residents. Attachment C-14. The CIP was placed in the information repository at the East Chicago Public Library and published on the Site website. As part of the Community Involvement Plan, EPA stated it would (among other things):

- a. Establish a toll-free number residents could call to get information.
- b. Update and maintain a Site mailing list consisting of residents, organizations, businesses, city officials, and other interested parties.

35. May 2011: EPA mailed sampling results from August 2010 sampling event to homeowners whose properties were sampled.

36. October 2011: EPA hand-delivered sampling results with color-coded pages explaining sampling results and levels of contamination to homeowners.

2012

37. July 2012: EPA mailed to the Site mailing list the Proposed Cleanup Plan for Residential Areas, as well as an announcement of a public meeting in English and Spanish. Attachment C-15. The Proposed Cleanup Plan included the history and background of the Site, a discussion of cleanup alternatives considered, the evaluation criteria EPA used in selecting an alternative, and EPA's recommended alternative. The Proposed Cleanup Plan also included a blank form for residents to provide written comments on the plan that they could mail to EPA and information about a July 25, 2016, public meeting where they could provide comments orally.

38. EPA placed ads in Gary Post Tribune (Attachment C-16) and Que Viva (Spanish language newspaper) announcing the public comment period and public meeting for EPA's Proposed Cleanup Plan for Residential Areas of the Site.

39. July 11 and July 12, 2012: EPA provided two DVD copies (one to remain in the library and one to be made available for circulation) of the administrative record for the proposed plan to the East Chicago Public Library. (The July 12 transmittal resent the two DVDs with corrections of errors on the ones sent on July 11.)

40. July 25, 2012: EPA held public meeting regarding the EPA Proposed Cleanup Plan for Residential Areas of the Site. A total of 42 people signed in at the meeting, 15 of whom were site residents. The remaining 27 attendees were city officials and representatives of businesses, local governments, organizations and news media.

41. July 12–August 11, 2012: EPA held the public comment period for the EPA Proposed Cleanup Plan for Residential Areas at the Site.

42. August 26, 2012: EPA placed ads in Gary Post Tribune and Que Viva (Spanish language newspaper) announcing the extension of the public comment period through September 10, 2012.

43. August 11--September 10, 2012: EPA held an extended public comment period for the Proposed Cleanup Plan.

2013

44. August 2013: EPA arranged for the distribution of information regarding safe gardening practices and lead in soils through two local Walgreens stores, two East Chicago libraries, the East Chicago Park District facility at Riley Park (a public park located on the northeast corner of Zone 3) and the Martin Luther King Center (a youth center operated by the City of East Chicago located in Zone 2).

2014

45. October 2 and 24, 2014: EPA attended meetings of the East Chicago Waterway Management District to provide an update on Site activities.

46. November 2014: EPA mailed a Fact Sheet titled “Agreement Helps Start Project to Clean Up Contaminated Soil” to the Site mailing list with public meeting information and next steps for Zones 1 and 3. The Fact Sheet explained that, under the agreement (the Consent Decree), work would proceed on Zones 1 and 3, with Zone 1 work happening first. It added that the Zone 2 cleanup would proceed under a separate agreement.

Attachment C-17.

47. November 18-19, 2014: EPA held information sessions at two different locations on two separate evenings to discuss the start of sampling and cleanup activities for Zones 1 and Zone 3.

48. December 2014: EPA mailed letters requesting access agreements and providing information about cleanup for Zone 3.

2015

49. February–September 2015: EPA went door-to-door to get access agreements signed in Zone 3; left "missed you" flyers on doors in Zone 3 where EPA could not meet with the resident.

50. July 2015: EPA mailed packets to residents in Zone 3 who were previously not home or who had denied EPA access. The packets included an access agreement, fact sheet, property value information, and a fact sheet about lead exposure from the Agency for Toxic Substances and Disease Registry. Attachment C-18.

51. September 2015: EPA met with the City of East Chicago Health Department regarding Site soil sampling results. The Health Department stated that they offer free blood lead testing for children.

52. October-December 2015: EPA provided on-site support to residents by maintaining a presence in a local neighborhood office (a storefront rented by EPA in Zone 3) where EPA personnel were available to answer residents' questions.

53. October 2015: EPA:

a. Received list of homeowners in Zones 1-3 from the City of East Chicago Water Department to send the above-referenced packets to.

b. Received list of owners in Zones 1 and 3 from the City of East Chicago Assessor's office to find owner names and phone numbers to send the above-referenced packets to.

54. November 2015: EPA:

a. Again mailed packets to residents in Zone 3 that were previously not home or those that denied access. The packets included an access agreement, a fact sheet entitled "Agreement Helps Start Project to Clean Up Contaminated Soil," property value information, and ATSDR fact sheet about lead exposure. (This is the same as Attachment C-18 above).

b. Called and left messages regarding access agreements for residents in Zone 3 that were not home or those that had denied EPA access.

c. Sent letters and access agreements to five City alderman asking for assistance in getting access agreements for Zone 3.

d. Sent letters and access agreements to nine local churches asking for assistance in getting access agreements for Zones 3.

55. December 2015: EPA called and left messages regarding access agreements for residents who were not home or those that denied access for Zone 3 where EPA could not meet with the resident.

2016

56. March–May 2016: EPA went door-to-door to get access agreements in Zones Zone 3; left "missed you" flyers on doors in Zone 3.

57. June 2016: EPA met with City of East Chicago officials and provided them with draft educational brochures for residents for their review and comment.

58. July 5, 2016: EPA went door-to-door to the residents of the Housing Complex in Zone 1 and left lead prevention flyers that provided ways to avoid exposure to contaminated dirt and mulch. Flyers also contained ways to contact the EPA Community Involvement Coordinator. Attachment C-19.

59. July 11, 2016: Established a site trailer at the corner of 149th Street and McCook Avenue in the Calumet neighborhood which was staffed by EPA outreach personnel, including myself, Mr. Rodriguez and other CICs as assigned on a temporary basis, to answer residents' questions.

60. July 13, 2016: EPA shared all remedial design sampling results letters mailed to residents of the West Calumet Housing Complex with the City of East Chicago, the principal of the Carrie Gosch School, and the park superintendent who oversees Goodman Park.

61. July 20, 2016: EPA:

a. Went door-to-door to the residents of the Housing Complex in Zone 1 and left "EPA Takes Action to Reduce Exposure to Lead in Soil" fact sheet that provided ways to avoid exposure to contaminated dirt and mulch. Flyers also contained ways to contact the EPA Community Involvement Coordinator. Attachment C-20.

b. Placed "Do not play in the dirt or mulch" yard signs throughout the neighborhood of the Housing Complex in Zone 1 and left "Don't Let Kids Play in Dirt" flyers and contact information for the EPA Community Involvement Coordinator for residents. Attachments C-21 and C-22 (July 6, 2016 date on flyer is incorrect).

62. July 22, 2016: EPA placed additional "Do not play in the dirt or mulch" yard signs throughout the neighborhood of the Housing Complex in Zone 1.

63. July 25-27, 2016: EPA collected signed access agreements from residents regarding indoor dust sampling in Zone 1.
64. August 2016: EPA published and distributed “Residents Guide to Temporary Relocation” for residents in Zone 1. Also published and distributed Temporary Relocation Flier for residents in Zone 1.
65. August 2-6, 2016: EPA canvassed Zone 2 to get access agreements for soil sampling and distributed “Don’t Let Kids Play in Dirt” flyers. Attachments C-23 (July 6, 2016 date on flyer is incorrect).
66. August 3, 2016: EPA attended a public meeting with the Mayor of East Chicago and East Chicago Housing Authority, and residents of the West Calumet Housing Complex where the relocation of residents was discussed.
67. August 4, 2016 and thereafter: Four EPA canvassing teams contacted 24 units in the West Calumet Housing Complex; 23 expressed interest in getting their units cleaned. Continued outreach thereafter until all residents within the West Calumet Housing Complex had the opportunity to express interest in getting their units cleaned.
68. August 8, 2016: EPA attended School District Availability Session with ATSDR and School District (meeting with parents and children – primarily from Zone 1).
69. August 16, 2016: EPA attended meeting at First Baptist Church with East Chicago Ministers Alliance to provide a site update.
70. August 18, 2016: EPA attended West Calumet Housing Complex resident meeting to provide a site update.
71. August 19, 2016: EPA again provided two updated DVD copies (one to remain in the library and one to be made available for circulation) of the administrative record for

the Proposed Plan to the East Chicago Public Library at 2401 East Columbus Drive.

These DVDs replaced copies previously provided to the library that had been lost.

72. August 26, 2016: EPA distributed “Drinking Water Safety: Information for East Chicago Residents” fact sheet (to residents in Zones 1 and 3) and “EPA's Home Cleaning Process: What Residents Need to Know” (to residents in Zone 1).

73. August 29, 2016: EPA hand delivered letters regarding the results of recent indoor dust sampling to residents in Zone 1.

74. August 30, 2016: EPA held Multi-Agency Open House for residents at the Carrie Gosch Elementary School. Agencies attending included EPA, ATSDR, University of Illinois at Chicago Great Lakes Center for Children’s Environmental Health, the City of East Chicago, the U.S. Department of Housing and Urban Development, the Purdue University Nutrition Education Program, the East Chicago Health Department, Indiana State Department of Health, the East Chicago Health Coalition, the Indiana Department of Environmental Management, and the East Chicago/Calumet Coalition. “Don’t Let Kids Play in the Dirt” flyers (attachments C-22 and C-23) were distributed at this meeting.

75. August 31, 2016: EPA hand delivered letters regarding the results of recent indoor dust sampling to residents in Zone 1.

76. September 2016: EPA issued Fact Sheet by mail to Site residents titled “EPA To Begin Cleaning Up Lead-Contaminated Yards.” The Fact Sheet was mailed to all persons on the Site mailing list and published on the website. Attachment C-24.

77. September 2, 2016: EPA again provided two updated DVD copies (one to remain in the library and one to be made available for circulation) of the administrative record

for the Proposed Plan to the East Chicago Public Library at 2401 East Columbus Drive, and an additional two updated DVD copies of the administrative record for the Proposed Plan to the East Chicago Public Library at 1008 West Chicago Avenue. EPA noted in its cover letter that the administrative record is also available online. EPA has replaced the DVD copies of the administrative record several times.

78. September 12, 2016: EPA mailed post cards to residents in Zones 2 and 3 announcing September 24 Open House at Riley Park to provide Site update. Attachment C-25.

79. September 14, 2016: EPA sent 500 postcards to local community group for Mexican Day Parade providing information about the September 24 Open House.

80. September 14, 2016: EPA continued door-to-door canvassing in Zone 2 to obtain access agreements to conduct soil sampling.

81. September 16, 2016: EPA canvassed in the West Calumet Housing Complex to continue to try to collect access agreements for interior cleaning from non-responsive residents.

82. September 20, 2016: EPA placed yard signs in yards in Zones 2 and 3 announcing September 24 Open House.

83. September 24, 2016: EPA held an Open House at Riley Park for Zones 2 and 3 to provide information on sampling and cleanup of contaminated soil in yards. ATSDR representatives also attended.

84. October 2016, EPA:

a. Hung door hangers entitled “EPA Needs to Meet With You” (Tap Water Sampling/Excavation) on the Zone 2 and 3 homes slated for exterior soil cleanup this fall.

b. Hung door hangers “EPA Needs to Hear from you” (unit cleanup and interviews) on West Calumet Housing Complex units.

c. Distributed Tap Water Sampling Instructions Fact Sheet to residents in Zones 2 and 3 whose homes were slated for exterior soil cleanup this fall.

85. October 1-21, 2016: EPA canvassed residents in Zones 2 and 3 whose homes were slated for exterior soil cleanup this fall regarding the soil cleanup activities.

86. November 1-8, 2016: Canvassed residents in Zones 2 and 3 whose homes were slated for exterior soil cleanup this fall regarding tap water and dust sampling before excavation activities.

COMMUNITY ADVISORY GROUP ACTIVITIES

87. Community Advisory Groups (CAGs) are an important mechanism designed to enhance community involvement in the Superfund process. CAGs can be effective in facilitating the participation of community members living at or near Superfund sites, particularly those from low-income and minority groups, in the Superfund process. CAGs serve as a means to foster interaction among interested members of an affected community, to exchange facts and information, and to express individual views of CAG participants while attempting to provide, if possible, consensus recommendations from the CAG to EPA.

88. EPA informed community members of various community involvement opportunities at the Site, including the formation of a CAG, as early as June 2010. *See* para. 29 above. EPA is unaware of any efforts to form a CAG at the USS Lead Site until very recently.

89. October 6, 2016: Based on my conversations with colleagues and my attendance at a November 10, 2016 meeting, I am personally aware that representatives from EPA's Office of Regional Counsel and its Superfund Division met with the following advisors to a group of community members attempting to form a Community Advisory Group (formerly known as "East Chicago Undivided," now known as "East Chicago/Calumet Coalition") to discuss the concerns of the East Chicago/Calumet Coalition members: Nancy Loeb and Deborah Chizewer (Northwestern University, Bluhm Legal Clinic, Environmental Advocacy Center), Mark Templeton (University of Chicago, Abrams Environmental Law Clinic), David Chizewer and Emily Gilman (Goldberg Kohn Ltd). I am also aware that before that meeting, ORC personnel had provided information to Ms. Chizewer regarding the Site and the CAG process. Finally, I am aware that EPA has continued to exchange information with Ms. Chizewer about the CAG formation process and about EPA resources that might be available to a CAG.

90. October 29, 2016: An attorney from the Office of Regional Counsel and I attended a meeting of the "East Chicago/Calumet Coalition" in East Chicago and provided information to the group about EPA resources the group can access (including Technical Advisory Grant funds, a technical advisor selected by EPA, neutral facilitation services, printing and mailing services).

91. November 10 2016: Numerous EPA employees, including Charles Rodriguez and I, met with the individuals listed in Paragraph 89 above. Among EPA representatives attending that meeting were Douglas Ballotti, Acting Division Director for the Superfund Division, and Rett Nelson, EPA Region 5 Regional Counsel. At that meeting, the representatives identified in Paragraph 89 identified concerns about the cleanup plan and

the then-ongoing work at the Site. EPA personnel provided feedback and information to these representatives.

92. November 17, 2016: I am aware that an attorney from the Office of Regional Counsel met with Ms. Chizewer to discuss CAG formation.

93. December 7, 2016: With input from me, EPA responded to an email from Ms. Chizewer regarding issues related to the CAG. EPA agreed to provide East Chicago/Calumet Coalition with a table at the EPA-sponsored Open House scheduled for December 10, 2016, in East Chicago.

94. December 8, 2016: City of East Chicago informed EPA that there may be up to four CAGs for the USS Lead Site currently in formation.

95. December 9, 2016: EPA canceled previously-scheduled December 10 Open House due to possible lapse in funding which would prevent most federal employees from working on December 10. EPA is planning to reschedule the Open House in January 2017.

96. EPA has offered to present a “Superfund for Communities” workshop for the East Chicago/Calumet Coalition early next year. EPA is also in the process of contracting with one or more neutral facilitators to assess the facilitation needs of the East Chicago/Calumet Coalition and make recommendations regarding what resources EPA might provide to it.

97. EPA is committed to working closely with any CAG that is successfully formed and that is representative of the community impacted by the USS Lead Site. CAGs are an important tool for enhancing community involvement at sites and EPA will seek to

achieve direct, regular and meaningful consultation with any CAG that is properly formed as EPA continues its implementation of response actions at this Site.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that these statements are true and correct to the best of my knowledge and belief.

s/Janet Pope
Janet Pope

December 16, 2016

INDEX OF ATTACHMENTS

- C-1 March 2006 Release: EPA to Begin Testing for Lead Contamination in Yards
- C-2 October 2007 Fact Sheet, USS Lead, East Chicago.
- C-3 Dec. 5, 2007 Public Meeting Notice
- C-4 Dec. 5, 2007 Public Meeting Agenda
- C-5 December 2007 USS Lead Superfund Site Cleanup Status
- C-6 Dec. 7 & Dec. 8, 2009 Information Session Flyer (English and Spanish)
- C-7 December 2009 Fact Sheet: “EPA to Begin Testing for Lead Contamination in Yards”
- C-8 December 2009 Fact Sheet (Spanish): “EPA a Comenzar las Pruebas de Contaminacion de Plomo en Patios”
- C-9 December 14, 2009 Post Tribune of NW Indiana, EPA Invitation to a Meeting Regarding Residential Soil Sampling
- C-10 May 23, 2010 NW Indiana Times, EPA Invitation to Schedule Interviews about Lead Contamination
- C-11 June 2, 2010 NW Indiana Times, EPA Invitation to Schedule Interviews about Lead Contamination in Spanish
- C-12 June 2010 Hand-out on Superfund Process Steps and Community Involvement Opportunities
- C-13 June 2010 Hand-out on EPA Community Involvement Activities at NPL Sites
- C-14 April 2011 EPA Community Involvement Plan
- C-15 EPA’s Proposed Plan for Cleanup of Residential Areas (July 2012)
- C-16 July 15, 2012 Invitation for Public Comment on the Cleanup Plan for the USS Lead Superfund Site
- C-17 November 2014 Fact Sheet: “Agreement Helps Start Project to Clean Up Contaminated Soil”
- C-18 Information Packet including Access Agreement, Fact Sheets, Property Value Information, and Fact Sheet about Lead Exposure

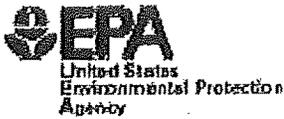
- C-19 EPA Flyer (Zone 1) (undated): “Don’t Let Kids Play in Dirt”
- C-20 July 2016 Fact Sheet: “EPA Takes Action to Reduce Exposure to Lead in Soil”
- C-21 Photo of Yard Signs: “Do Not Play in Dirt”
- C-22 EPA Flyer (Zone 1): “Don’t Let Kids Play in Dirt”
- C-23 EPA Flyer (Zones 2&3): “Don’t Let Kids Play in Dirt”
- C-24 September 2016 Fact Sheet: “EPA To Begin Cleaning Up Lead-Contaminated Yards”
- C-25 Invitation to USS Lead Site Open House, September 24, 2016

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Attachment C-1 to Janet Pope Declaration:

March 2006 Release: EPA to begin Testing for Lead Contamination in Yards



EPA to begin testing for lead contamination in yards

USS Lead
East Chicago, Indiana

March 2006

Informational meetings

EPA will hold two informational meetings to explain the residential testing process and answer your questions. Please plan to attend.

Wednesday March 22

3:00 –6:00 p.m.

Washington Elementary School
1401 E. 144th Street
East Chicago, Ind.

- and -

Thursday March 23

3:00 –6:00 p.m.

Carrie Gosch School
445 W. 148th Street
East Chicago, Ind.

If you need special accommodations to attend this meeting, contact Joe Munoz at least one week before the meeting at (312) 886-7935

Your help is needed

This fact sheet also includes an access agreement and a stamped envelope for you to sign and send it back so EPA can test your yard for lead contamination at no cost to you.

EPA will also accept signed access agreement at the informational meetings.

It is important to return the access agreement as soon as you get it. The access agreement allows your yard to be sampled for lead contamination.

Soil at some East Chicago homes could be contaminated with lead. U.S. Environmental Protection Agency (EPA) plans to find out more information this spring by taking test samples from residential yards in neighborhoods near the former USS Lead plant.

Samples will be taken from yards in an area between East Chicago Avenue and 151st Street, and between Aster Street and Parrish Avenue. EPA will hold two meetings to explain this process to area residents (see box, left).

Permission needed for samples

If you live in the area described, EPA needs your permission to take soil samples from your yard. An agreement form is included with this fact sheet for your convenience. Please complete the form, sign it and return it to EPA in the stamped envelope provided. EPA representatives will also be going door-to-door seeking permission from property owners.

EPA technicians will take samples from both the front and back yards to find out if there is any danger to you from lead in the soil. These tests are done at no cost to you, and all the work is done outside your home.

USS Lead background

If there is lead contamination in your neighborhood, it may have come from U.S. Smelter and Lead Refinery Inc., commonly known as USS Lead, or other industries that have operated in the area. The company operated on a 79-acre site at 5300 Kennedy Ave. from 1906 until December 1985. They recovered lead from scrap metal and automobile batteries.

USS Lead produced lead waste as part of their smelting process. Some of this waste was emitted into the air, while some built up in large piles on the ground of the facility. The former plant area has already been cleaned up. Now EPA is trying to determine other areas that may need to be cleaned up.

What is lead?

Lead is a naturally occurring heavy metal. It is commonly found at low levels in soil. Low levels of lead can be found in the air, water, food and dust in cities because of the widespread use of lead in man-made products. The federal government regulates the amount of lead in the air, water and soil.

Lead is highly toxic and can cause a range of health effects, from behavioral problems and learning disabilities to seizures and death. Children 6 years old and younger are most at-risk because their bodies are growing quickly and the effects of the lead can cause problems. Children often have higher levels of exposure because they play in dirt and may put dirty hands in their mouths. Also, children who lack proper nutrition may absorb more lead and suffer more harmful effects.

What should I do to reduce exposure to lead?

You should take steps to protect children from lead-contaminated soil. Pregnant women should seek prenatal care to protect their developing infants. You can limit children's exposure to dirt in the following ways:

- cover areas of exposed dirt with grass, flowers, mulch or concrete.
- wash down very dusty areas with a hose.
- discourage children from playing in the dirt, gravel or ground covers (like sidewalks and driveways).
- supervise young children to prevent them from eating dirt.
- wash children's hands often, especially before they eat and before nap time and bed time.
- clean or remove your shoes before entering your home to avoid tracking in lead from soil.
- make sure children eat nutritious, low-fat meals high in iron and calcium, such as spinach and dairy products. Children with good diets absorb less lead.

To prevent ingestion of lead-contaminated dust, you should:

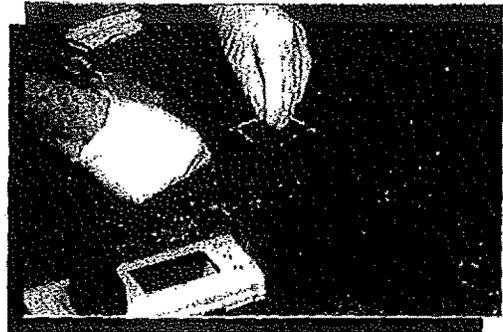
- place a door mat at the door.
- vacuum carpets and drapes.
- dust with an oiled cloth.
- mop floors often.
- wipe your feet before entering your home.
- keep windows closed as much as possible to reduce dirt in the home.
- replace furnace filters often.

Call the National Lead Information Center (800) 424-LEAD (5323) to learn more about how to protect children from lead poisoning and for other information on lead hazards, or visit www.epa.gov/lead

These EPA representatives are available to discuss the residential yard sampling with you:

Michael Berkoff
Remedial Project Manager
77 W. Jackson Blvd.
Chicago, IL 60604
(312) 353-8983
(800) 621-8431 Ext. 38983
berkoff.michael@epa.gov

Joe Munoz
Community Involvement Coordinator
77 W. Jackson Blvd.
Chicago, IL 60604
(312) 886-7935
(800) 621-8431 Ext. 67935
munoz.joe@epa.gov



Technicians taking soil samples for lead



**Want
to learn more?**

United States of America, State of Indiana,
v.
Atlantic Richfield Company and E.I. Du Pont De Nemours and Company
No. 2:14-cv-00312

Memorandum in Opposition to Applicants' Motion to Intervene

Attachment C-2 to Janet Pope Declaration:
October 2007 Fact Sheet, USS Lead, East Chicago



Fact Sheet October 2007 USS Lead, East Chicago, Indiana

Public meeting Nov. 8

Everyone is invited to attend a public meeting about the post-closure operation and maintenance of the corrective action management unit (CAMU)/landfill associated with the former USS Lead Refinery. The meeting will be held:

Thursday, Nov. 8
5:30 p.m. – 7:30 p.m.
151st Street Recreation Center
4925 Gladiola St.
East Chicago, Ind.

Information will be displayed about the site, and IDEM and U.S. EPA representatives will be available for discussions during this time.

For Additional Information

Regarding Post-Closure Care, Contact:

Ruth Jean, IDEM
317-232-3398 or 800-451-6027, press 0,
request ext. 2-3398, or e-mail
rjean@idem.IN.gov

Regarding the CAMU, Contact:

Mirtha Capiro, U.S. EPA, Region 5
312-886-7567, or e-mail
capiro.mirtha@epa.gov

The Indiana Department of Environmental Management (IDEM) and the United States Environmental Protection Agency (U.S. EPA) Region 5 have prepared this joint fact sheet to inform the public of the history and current issues at U.S.S. Lead, East Chicago, Indiana.

Facility History

U.S. Smelter and Lead Refinery, Inc. (USSL) is located on a 79-acre tract of land in East Chicago, Indiana. From 1906 to 1920, the Delamar Copper Refinery operated at the facility as a copper smelter. In 1920, the property was purchased by U.S. Smelting Refining and Mining and the facility became a primary lead smelter. The property was later purchased by USS Lead. Between 1972 and 1973, USS Lead was converted to a secondary lead smelter, recovering lead from automobile batteries. All operations ceased in 1985. The facility's hazardous waste management units included two calcium sulfate sludge waste piles and a baghouse dust waste pile. Other sources of contamination at the facility have included stack emissions from blast furnace operations, a slag pile located in the southeast portion of the wetlands, and oil releases into the canal from a nearby above-ground tank. USS Lead filed for bankruptcy in 1987 and was assigned to Mining Remedial Recovery Co. (MRRC) by the bankruptcy court.

USS Lead is subject to an IDEM interim agreed order and the U.S. EPA requirements under a unilateral administrative order.

Corrective Action Management Unit (CAMU)

Corrective Action Management Units, or "CAMUs," are special units created under the Resource Conservation and Recovery Act (RCRA) to facilitate treatment, storage, and disposal of hazardous wastes managed for implementing cleanup. Enacted in 1976, RCRA, also known as the Solid Waste Disposal Act, is a federal law that allows for the regulation and management of hazardous waste.

In March 1996, U.S. EPA issued a Statement of Basis that evaluated three remedial alternatives for cleanup of hazardous waste contamination at USS Lead: alternative 1 (excavation, consolidation, and on-site disposal), alternative 2 (excavation, on-site treatment, and off-site disposal), and alternative 3 (excavation, off-site treatment and off-site disposal). The Statement of Basis identified as the preferred remedy the following: alternative 1 for excavation, consolidation and on-site disposal using a CAMU. The CAMU design for USS Lead includes a subsurface slurry wall around the 11-acre CAMU, an engineered final cover, and a long-term ground-water monitoring system in accordance with IDEM requirements.

An official public notice on the Statement of Basis appeared on March 25, 1996, in the Gary, Indiana, *Post-Tribune* and an announcement was broadcast over local public radio. U.S. EPA held a public comment period from March 26 to April 24, and from May 20 to June 25, 1996. The administrative record was made available at the East Chicago Public Library, Gary Public Library, Whiting Public Library, and the U.S. EPA Region 5 Chicago office. A public hearing was held at Riley Park Community Center on June 20, 1996.

U.S. EPA issued a CAMU designation for the USS Lead facility on Nov. 8, 1996, along with a response to public comments.

The CAMU facilitates the safe and cost-effective disposal of remediation waste from the site-wide cleanup and closure of the three hazardous waste piles subject to closure- and post-closure IDEM requirements. Waste material consolidated in the CAMU consists of former site buildings, blast furnace slag, battery chips, lead contaminated soil, and contaminated sediment from the on-site canal (stabilized with lime). Baghouse dust and calcium sulfate sludge piles were transported off-site for proper disposal.

Upon completion of soil excavation and disposal activities (November 2002), USS Lead completed construction of the CAMU under the U.S. EPA legal order and completed closure according to IDEM's Interim Agreed Order. The engineered cap design for the CAMU was modified to include a native vegetative cover in coordination with the Natural Resources Damage Assessment (NRDA) for the Grand Calumet River. In addition, the soil excavation in the wetland areas was aimed at recreating the original dune/swale environment. U.S. EPA and IDEM coordinated activities with the NRDA.

Final Cover (Cap)

The CAMU cap consists of the following:

1. Cushion layer: A six-inch thick layer of compacted sand to provide a smooth uniform sub-grade. This layer provides a physical barrier between the geocomposite membrane and the compacted waste below.
2. Geocomposite membrane: This layer is composed of a geosynthetic clay liner (GCL) covered by a 40-millimeter high-density polyethylene (HDPE) geomembrane. The GCL is sodium bentonite (an absorbent type of clay) between two fabric layers. Sodium bentonite expands when wet. The property of swelling makes sodium bentonite useful as a sealant. The HDPE liner is basically a strong

plastic liner. Together, this layer protects the CAMU.

3. Cover layer: The final cover is composed of a 36-inch layer of sand serving as a drainage layer and vegetative base. The sand cover was planted with a diverse mix of native grasses.

The CAMU cap will protect the ground water by preventing rain and snowmelt from soaking through the waste and picking up contaminants. Ground water monitoring, described below, will ensure the cap is functioning properly.

Slurry Wall

The slurry wall consists of a self-hardening, clay-cement mixture. It's a four-inch thick wall extending around the CAMU and 30 feet below the surface to a natural, thick clay layer called the Largo Formation. This wall prevents contamination inside the CAMU from leaving the facility.

The ground water level inside the CAMU is lowered to ensure that contamination does not escape through the slurry wall. This is referred to as an "inward hydraulic gradient." If a leak developed, the water level inside would start to rise. The inward hydraulic gradient has been accomplished by installing six extraction wells operating at a combined total flow rate of approximately three to four gallons per minute. The water extracted is discharged to a sanitary sewer owned by the East Chicago Sanitary Sewer District.

Ground Water Monitoring

Currently, 18 ground water monitoring wells are on the property in addition to the six extraction wells. Five of the 18 are upgradient wells, while the remaining 13 are down-gradient wells. Since November 2000, ground-water monitoring has been conducted quarterly. Ground water protection standards

for each substance are based on the Federal Maximum Contaminant Levels (MCLs) found in the Federal Safe Drinking Water Act and, as applicable, ground water background conditions. After several years of monitoring, lead has not been detected in ground water above the MCL of .050 milligrams/liter. Other metals that are present in the waste at lesser concentrations have been detected in ground water, including arsenic, cadmium, selenium, and antimony. The post-closure permit will allow IDEM to monitor these concentrations closely and require corrective action when the ground water protection standard is exceeded. Nine wells will be used for compliance monitoring.

The uppermost aquifer at the USS Lead site is the Calumet Aquifer, extending to a depth of approximately 30 feet below grade. This aquifer is not utilized locally as a drinking water source; instead, the City of East Chicago operates a water treatment plant obtaining the water from Lake Michigan.

Inspections

Inspections will be performed by USS Lead on a quarterly basis, though IDEM may consider semi-annual inspections if USS Lead can demonstrate that the CAMU cap is functioning properly over a period of time. Inspections will focus on security, the CAMU cap, vegetation, drainage, and potential sink holes called subsidence in scientific terms.

Draft Post-Closure Permit

The intent of the Post-Closure Permit is to monitor the operation and maintenance of the CAMU. The draft post-closure permit details activities required to maintain the cap, conduct inspections, and comply with ground water monitoring requirements.

Public Participation

During previous comment periods in 1996, U.S. EPA accepted comments on the proposed

remedy for the use of a CAMU at the USS Lead facility. U.S. EPA received five written comments by mail and five oral comments at the public meeting. Fourteen people participated in the public meeting, including community members and groups. Upon completion of public participation, U.S. EPA issued a CAMU designation and response to comments for the USS Lead facility.

In addition to the public participation provided by U.S. EPA in regards to establishment of the CAMU, IDEM set a public comment period on the Draft Post-Closure Permit that closed Sept. 14. The official public notice was published on July 31, 2007, in *The Times*, Munster, Indiana, and broadcast over local radio station *WJOB*. IDEM's Final Permit Decision is pending.

More Information

Copies of the Draft Post-Closure Permit from the USS Lead site are available for public review at IDEM's Northwest Regional Office, [STREET ADDRESS], Merrillville, Ind., and the IDEM File Room at [STREET ADDRESS] in Indianapolis, Indiana. More information about the site can be found on these Web pages:
[Webpage here]

Additional activities associated with the U.S.S. Lead Facility will be handled by the Superfund Division of U.S. EPA. Superfund will announce the dates and locations for meetings associated with these activities at a later date.

United States of America, State of Indiana,
v.
Atlantic Richfield Company and E.I. Du Pont De Nemours and Company
No. 2:14-cv-00312

Memorandum in Opposition to Applicants' Motion to Intervene

Attachment C-3 to Janet Pope Declaration:
December 5, 2007 Public Meeting Notice



Public Meeting
on the
USS Lead
Superfund Site
East Chicago, Indiana

Representatives from U.S. Environmental Protection Agency will be available to discuss lead contamination in East Chicago yards.

Wednesday, December 5, 2007

6:30 – 8:30 p.m.

Carrie Gosch Elementary School

445 E. 148TH St.

East Chicago, Ind.

If you need special accommodations to attend this meeting, contact Janet Pope at least one week before the meeting at 312-353-0628.

For more information about the meeting or the USS Lead site:

Michael Berkoff

EPA Remedial Project Manager

77 W. Jackson Blvd.

Chicago, IL 60604

800-621-8431, Ext. 38983

week days 9a.m.-4:30p.m.

berkoff.michael@epa.gov

Janet Pope

EPA Community Involvement Coordinator

77 W. Jackson Blvd.

Chicago, IL 60604

800-621-8431, Ext. 30628

weekdays 9a.m.-4:30p.m.

pope.janet@epa.gov

United States of America, State of Indiana,
v.
Atlantic Richfield Company and E.I. Du Pont De Nemours and Company
No. 2:14-cv-00312

Memorandum in Opposition to Applicants' Motion to Intervene

Attachment C-4 to Janet Pope Declaration:
December 5, 2007 Public Meeting Agenda



USS Lead Superfund Site

Public Meeting

Wednesday, December 5, 2007

6:30 – 8:30 p.m.

Carrie Gosch Elementary School

445 E. 148TH St.

East Chicago, Ind.

AGENDA

INTRODUCTIONS JANET POPE

CURRENT ACTIVITIES MICHAEL BERKOFF

- NPL SITE LISTING PROCESS LAURA RIPLEY

FUTURE ACTIVITIES THERESA HOLZ/
CHARLIE GABIEN
MICHAEL BERKOFF

QUESTION AND ANSWER PERIOD

For more information regarding the USS Lead Superfund Site please visit the following:

WEBSITE

<http://epa.gov/region5/sites/>

-or-

INFORMATION REPOSITORY

East Chicago Public Library

Reference Department

2401 E. Columbus Drive

East Chicago, IN 46312

(219) 397-2453

(An information repository is where current information, technical reports, and reference materials regarding a Superfund site are stored. It helps members of the community understand site conditions, and activities at the site).

United States of America, State of Indiana,
v.
Atlantic Richfield Company and E.I. Du Pont De Nemours and Company
No. 2:14-cv-00312

Memorandum in Opposition to Applicants' Motion to Intervene

Attachment C-5 to Janet Pope Declaration:
December 2007 USS Lead Superfund Site Cleanup Status



USS Lead Superfund Site Cleanup Status

East Chicago, Indiana

December 2007

Site Name: U.S. Smelter & Lead Refinery Superfund Site

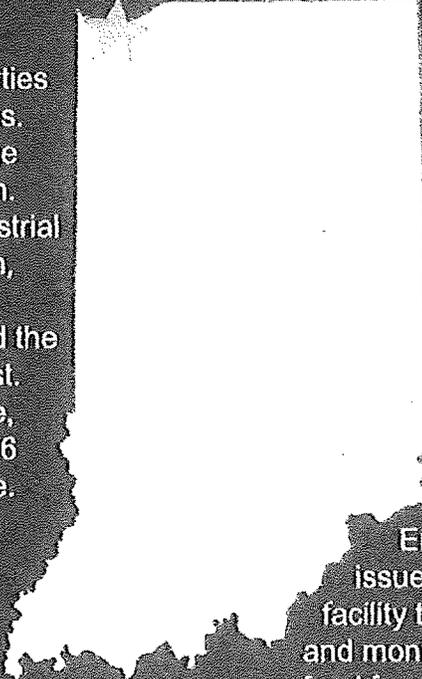
Size: 79 acres

The site and surrounding properties are zoned for industrial land uses. Adjacent activities include a large chemical factory and a tank farm. The site is bordered by the Industrial Harbor Belt Railroad to the north, Interstate 80/90 to the south, Kennedy Avenue to the east and the Indiana Harbor Canal to the west. Surrounding population: 1/2 mile, 2,571 people; 2 1/2 miles, 70,346 people; 4 miles, 108, 935 people.

Superfund

The National Priorities List or NPL is a roster of the most hazardous waste sites in the country that are eligible for cleanup under EPA's Superfund program. The USS Lead site was originally proposed for the NPL in 1992, but consideration was put on hold when the Agency decided to pursue cleanup funding under another federal program called the Resource Conservation and Recovery Act (RCRA). RCRA cleanups are for operating, viable facilities, so due to the USS Lead bankruptcy EPA is re-evaluating current conditions at the site to determine if it is eligible for the NPL. Before a site is placed on the Superfund list it must be evaluated or assessed using EPA's "Hazard Ranking System." If the site scores high enough as an actual or potential threat to public health and the environment, it can qualify for the NPL. The public also gets a chance to comment before a site is officially placed on the NPL.

The site is located in an industrialized section of southern East Chicago, Ind., adjacent to Interstate 80/90.



RCRA

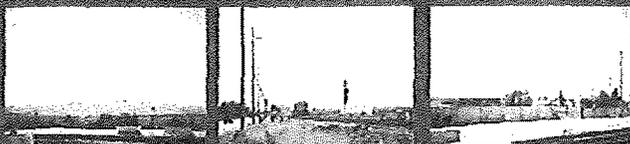
Prior to the USS Lead bankruptcy, several cleanup actions were undertaken on the site under RCRA. In one of these actions, EPA designated an area on the site as a "Corrective Action Management Unit" or CAMU in 1996. The CAMU consolidated the hazardous material from three closed waste dumps into one location and also received contaminated sediment (mud) and soil from cleanup projects on other portions of the USS Lead site. Indiana Department of Environmental Management now wants to issue a post-closure permit for the CAMU facility to cover future operations, maintenance and monitoring. The permit also establishes a trust fund for post-closure costs based on USS Lead's ability to pay. IDEM is expected to issue a response to public comments on the permit and a final decision by the end of 2007.

For More Information on the status of the USS Lead Superfund Site, please contact:

Michael Berkoff
EPA Remedial Project Manager
312-353-8983
berkoff.michael@epa.gov

Janet Pope
EPA Community Involvement Coordinator
312-353-0628
pope.janet@epa.gov

EPA Region 5 toll-free:
800-621-8431



United States of America, State of Indiana,
v.
Atlantic Richfield Company and E.I. Du Pont De Nemours and Company
No. 2:14-cv-00312

Memorandum in Opposition to Applicants' Motion to Intervene

Attachment C-6 to Janet Pope Declaration:
December 7 & December 8, 2009 Information Session Flyer (English and Spanish)



You're Invited...

Information Sessions about the Residential Testing Process for the U.S.S. Lead Superfund Site

Estas Invitado(a)...

Sesiones de Información sobre el Proceso de Pruebas Residenciales del Sitio de Superfondo U.S.S. Lead

3-5 p.m.

Monday, Dec. 7 and Tuesday, Dec. 8

**Martin Luther King
Community Center
4802 Melville Ave.
East Chicago, Ind.**

U.S. Environmental Protection Agency will hold informational sessions to explain the residential testing process at and answer your questions about the former U.S. Smelter and Lead Refinery Inc. site, commonly known as USS Lead. Beginning Dec. 7 and continuing for about two weeks, EPA will collect soil samples from residential yards near the USS Lead site to see if the yards are contaminated with lead. Samples will be taken from both the front and back yards in an area between East Chicago Avenue and 151st Street, and between Aster Street and Parrish Avenue. These soil tests are done at no cost to you, and all the work is done outside your home. If you have any questions or need special accommodations at these sessions, please contact EPA's community involvement coordinator Janet Pope at 312-353-0628, pope.janet@epa.gov.

La Agencia de Protección Ambiental (EPA) de Estados Unidos patrocinará sesiones informativas para explicar el proceso de pruebas residenciales y responder sus preguntas acerca de la antigua compañía U.S. Smelter and Lead Refinery Inc., sitio usualmente conocido como "USS Lead". Comenzando el 7 de diciembre y continuando durante unas dos semanas, La EPA recogerá muestras de suelo de patios/jardines residenciales cerca del sitio de USS Lead para ver si los patios/jardines están contaminados con plomo. Se tomarán muestras de los patios/jardines delanteros y traseros en una zona que comprende entre la Avenida East Chicago y la calle 151, y entre la calle Aster y la Avenida Parrish. Estas pruebas de suelo se realizarán sin costo alguno para usted, y todo el trabajo se realizara afuera de su hogar. Si tiene alguna pregunta o necesita acomodaciones especiales durante estas sesiones informativas, póngase en contacto con el coordinador de participación en la comunidad en la EPA, Janet Pope al telefono (312) 353-0628, pope.janet@epa.gov



You're Invited...

Information Sessions about the Residential Testing Process for the U.S.S. Lead Superfund Site

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United States of America, State of Indiana,
v.
Atlantic Richfield Company and E.I. Du Pont De Nemours and Company
No. 2:14-cv-00312

Memorandum in Opposition to Applicants' Motion to Intervene

Attachment C-7 to Janet Pope Declaration:

December 2009 Fact Sheet: "EPA to Begin Testing for Lead Contamination in Yards"



EPA to Begin Testing for Lead Contamination in Yards

USS Lead
East Chicago, Indiana

December 2009

Informational meetings

EPA will hold an informational meeting to explain the residential testing process and answer your questions. Please plan to attend.

Thursday, Dec. 17

6 to 7:30 p.m.

**East Chicago Public Library
2401 E. Columbus Drive
East Chicago, Ind.**

If you need special accommodations to attend this meeting, contact Janet Pope at least one week before the meeting at 312-353-0628.

Access agreements

This fact sheet includes an access agreement for you to sign so EPA can test your yard for lead contamination at no cost to you. EPA will accept the agreements either by mail or at the meeting Dec. 17.

Documents on file

An information repository is a file for public review containing documents related to the project and the Superfund program. The USS Lead site information repository is located in the:

**East Chicago Public Library
2401 E. Columbus Drive**

On the Web

Fact sheets are also available at:
www.epa.gov/Region5/sites/usslead.

Recursos adicionales

Esta hoja está disponible en español y puede serle proporcionada a petición. Póngase en contacto con Tatiana Papakos at 312-201-7433 para obtener una copia.

Soil at some East Chicago homes could be contaminated with lead from a former lead refinery. U.S. Environmental Protection Agency plans to gather more information this winter by collecting soil samples from residential yards in neighborhoods near the former U.S. Smelter and Lead Refinery Inc. facility, commonly known as USS Lead.

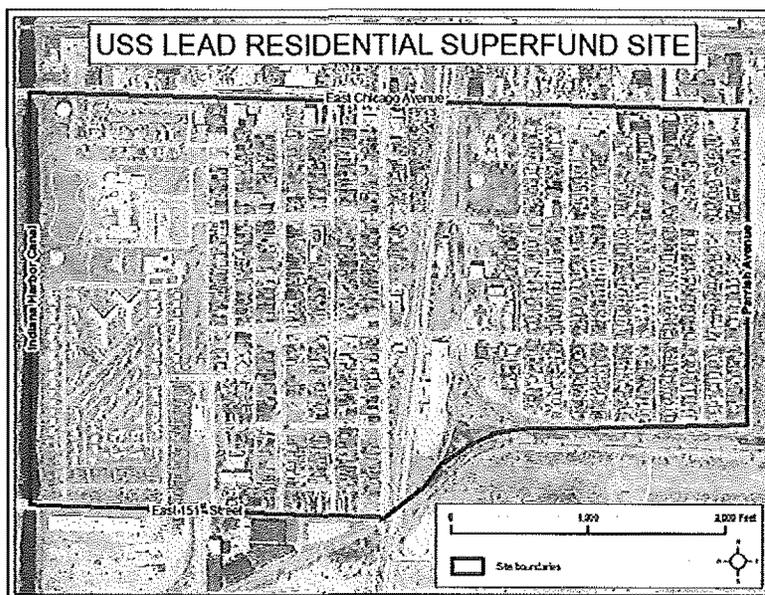
Samples will be taken from yards in an area between East Chicago Avenue and 151st Street, and between the Indiana Harbor Canal and Parrish Avenue (see map below). EPA will hold an informational meeting to explain this process to area residents (see box, left).

Summary of investigation

EPA will oversee a soil investigation in East Chicago to determine the extent of lead contamination in residential yards. The study, which EPA calls a "remedial investigation," will identify the extent and levels of lead in soil in the vicinity of the former USS Lead facility.

The company operated on a 79-acre property at 5300 Kennedy Ave. from 1906 until 1985. It recovered lead from scrap metal and automobile batteries. USS Lead produced lead waste as part of its smelting process. Some of this waste was emitted into the air, while some was stored in large piles within the facility.

Most of the former USS Lead plant area has been cleaned up. If there is lead contamination in your neighborhood, it may have come from USS Lead or other industries that have operated in the area. With this study, EPA is trying to determine areas that may need to be cleaned up.



United States of America, State of Indiana,
v.
Atlantic Richfield Company and E.I. Du Pont De Nemours and Company
No. 2:14-cv-00312

Memorandum in Opposition to Applicants' Motion to Intervene

Attachment C-8 to Janet Pope Declaration:

December 2009 Fact Sheet (Spanish): "EPA a Comenzar las Pruebas de Contaminacion de Plomo en Patios"



EPA a Comenzar las Pruebas de Contaminación de Plomo en Patios

USS plomo

Chicago, Este, Indiana

Diciembre 2009

Información de Audiencia

El EPA tendrá una audiencia informal para explicarle a los residentes el proceso de muestreo y para responder a cualquiera de sus preguntas. Por favor planea asistir.

Jueves 17 de Diciembre

6 to 7:30 p.m.

East Chicago Public Library

2401 E. Columbus Drive

East Chicago, Ind.

Si usted necesita comodidades especiales para asistir a la audiencia, contacte a Janet Pope una semana antes de la audiencia al 312-353-0628.

Consentimiento para el acceso

Este documento incluye un acuerdo de acceso procedente del EPA, para usted firmar. El EPA va a usar este documento para poder examinar su patio sin costo alguno. El EPA aceptará el acuerdo firmado por correo o en la audiencia el 17 de Diciembre, 2009.

Documentos en Archivos

La antigua planta de plomo, USS Lead, ha sido limpiada. Si hay contaminación de plomo en su vecindario, puede haber llegado de USS Lead, o de otras industrias que han operado en la área. Ahora, EPA está intentando determinar otras áreas dentro del barrio que es posible que deban ser limpiadas.

East Chicago Public Library
2401 E. Columbus Drive

Website:

Este y otros documentos y formatos futuros se pueden encontrar en la siguiente página web:
www.epa.gov/Region5/sites/usslead

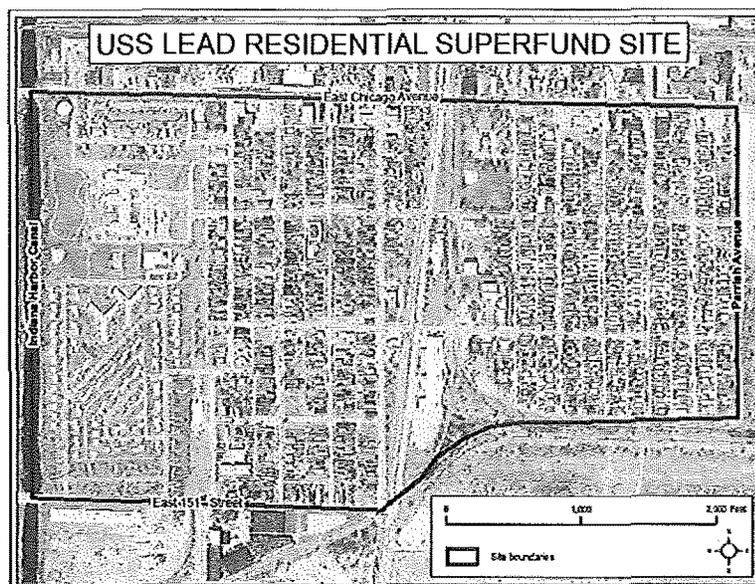
Suelo en algunos hogares al Este de Chicago podrían estar contaminados con plomo. La Agencia de Protección Ambiental de EE.UU. (EPA) planea recopilar más información este invierno y recoger muestras de suelo de los patios residenciales en vecindarios cerca de la antigua Fundación de Estados Unidos e Instalación de Refinería de Plomo, (U.S. Smelter and Lead Refinery, Inc.), comúnmente conocida como USS plomo.

Se tomarán muestras de yardas en una zona entre la Avenida Este de Chicago, (East Chicago Avenue), y la calle 151, (151st Street), y entre el Canal del Puerto de Indiana, (Indian Harbor), y la Avenida de la Parroquia, (Parrish Avenue - ver mapa abajo). La Agencia de Protección Ambiental, (EPA), tendrá una reunión pública informativa para explicar este proceso a los residentes del área (véase el recuadro, izquierda).

Resumen de investigación

La EPA supervisará una investigación del suelo en East Chicago, Indiana, para determinar el alcance de la contaminación de plomo en patios residenciales. El estudio, que el EPA llama una "Investigación Correctiva", identificará el alcance y los niveles de plomo en el suelo en las proximidades de la instalación de plomo, (USS Lead).

La compañía operó en una propiedad de 79 acres localizado en 5300 Kennedy Avenue desde 1906 hasta 1985. Se recuperaba plomo de chatarra y baterías de automóviles. USS Lead producía desechos de plomo como parte de su proceso de fundición. Algunos de estos residuos fueron emitidos en el aire, mientras que algunos se almacenaban en grandes montones dentro de las instalaciones.



Permiso necesario para muestras

Si usted vive en el área que se ha descrito anteriormente, la EPA necesita su permiso para tomar muestras de suelo de su patio. Viene un formulario de acuerdo con esta hoja informativa para su comodidad. Por favor complete el formulario, firmarlo y devolverlo a la EPA en el sobre estampado proporcionado. Representantes de la EPA también viajará tratando de puerta en puerta para obtener permisos de propietarios. Muchos residentes ya han dado a la EPA permiso para tomar una muestra de su propiedad.

EPA seleccionará hogares para muestreo basado en espacio y no necesariamente puede probar todas las casas que han concedido acceso en la fase inicial de toma de muestras. Si su propiedad a sido escogida, el EPA lo contactara para obtener su permiso.

Se llevará a técnicos de la EPA para tomar muestras de los patios delanteros y patios tranceros para averiguar si hay cualquier peligro para usted de plomo en el suelo. **Estas pruebas se realizan sin costo alguno para usted** y todos el trabajo se realiza fuera de su hogar.

Detalles de la Investigación

EPA recogerá muestras de suelo de propiedades residenciales en dos fases, a partir de Diciembre de 2009. Aproximadamente 940 residencias se encuentran dentro del área de estudio y 110 de estas residencias van a ser muestreadas en la primera fase de la investigación. Adicionalmente, una escuela y cuatro parques en el área de estudio también serán objeto de un muestreo.

La primera fase incluirá muestreo en el area residencial en una forma cuadrículada y muy espaciada para determinar aún más la extension lateral y vertical de los suelos contaminados con plomo en residencias, escuelas, parques, lotes vacantes y otras áreas donde los niños pueden entrar en contacto con el suelo contaminado. La segunda fase de la investigación se basará en los resultados de la primera fase de investigación e identificaran residencias individuales que requieren corrección.

Las muestras recogidas serán analizadas en el campo mediante un dispositivo que pueda detectar concentraciones del metal. A continuación, parte de las muestras se enviarán a un laboratorio para la confirmación del análisis.

Historia del sitio

La fundición de EE.UU. y Refinería del Plomo, Inc., (U.S. Smelter and Lead Refinery, Inc. - USS Lead) operaron anteriormente en una propiedad de 79 acres en el Este de Chicago, Indiana desde 1906 hasta 1985. La compañía era utilizada para recuperar el plomo de chatarra y baterías y metales de automóviles antiguos. Se generaron dos materias primas de residuos 1) escorias de altos hornos 2) polvo que contienen plomo emitida por la pila de horno.

Escoria de horno fue almacenado sur de la construcción de la planta y una vez al año, repartidos en un adyacentes 21 acres de humedales. Originalmente el polvo que contenía plomo eran atrapados en una bolsa con filtros; sin embargo se han encontrado partículas de plomo de la planta en lugares en contra del viento, que sugiere que no todo el polvo que se contenian por la bolsa de filtros fueron atrapados.

En los 1980's, varios estados y agencias federales ejecutaron acciones contra la empresa. En septiembre de 1985, el Consejo de salud del Estado de Indiana encontraron a USS Lead en violación de las leyes del Estado porque partículas de plomo se encontraron en contra del viento de la planta.

Investigaciones Anteriores del Sitio

Desde 1993, EPA de Estados Unidos, Programa de Conservación de Recursos y Acción Correctiva de la ley de Recuperación (RCRA) tiene bajo la supervisión de la corrección y la gestión de suelos contaminados con plomo en los límites de la antigua instalación USS Lead y en áreas limitadas fuera del sitio. La corrección de la instalación seria de abordar algunos de los suelos más fuertemente y sedimentos contaminados ubicados dentro de las instalaciones. La corrección, incluye una sección de 2 acres de los humedales a domicilio, donde estaban los suelos de humedales y sedimentos contaminados con plomo en concentraciones superiores a 10.000 partes por millón.

La zona residencial al norte de la planta incluye aproximadamente 1.000 viviendas, algunos parques, escuelas y edificios públicos, ellos han sido muestreados varias veces por varias entidades diferentes. La zona residencial de sí mismo ha sido muestreada muchas veces por diferentes grupos como a continuación: EPA en 1985; Entact en 1999; EPA / IDEM en 2002; RCRA de EPA en 2003; y EPA en 2006.

En 2003, la EPA de los Estados Unidos muestrearon suelos en la zona residencial al norte de la planta USS Lead como parte de la RCRA, Investigación de Acción Correctiva. Estos resultados del muestreo mostraron algunos patios residenciales conteniendo altos niveles de contaminación de plomo. La mayoría de los patios con resultados altos de plomo fueron encontrados en la parte

sur de la zona residencial. En referencia al programa de Acción Correctiva, RCRA de la EPA de los Estados Unidos en el 2004, USS Lead fue referido al programa de Superfondo Federal, (Federal Superfund), para la limpieza de los patios residenciales y porciones de humedales que forman parte de la instalación.

En abril de 2006, EPA de los Estados Unidos Superfund muestrearon nuevamente los patios residenciales en 14 propiedades. El análisis de esas muestras confirman que en los patios de por lo menos 12 casas tenían niveles de contaminación de plomo por encima de 1.200 partes por millón, que es el nivel de la reglamentación utilizado en la evaluación de los patios residenciales con la contaminación de plomo. En 2008, el programa de eliminación de Superfondo removio suelo de 13 de los 14 patios, que había tenido niveles de plomo.

¿Que es el plomo, y por qué es peligroso?

El plomo es un metal pesado natural. Comúnmente se encuentra en niveles bajos en el suelo. Bajos niveles de plomo pueden ser encontrados en el aire de las ciudades, en el agua, en alimentos, y el polvo, todo esto es causa de el extendido uso del plomo en productos fabricados por el hombre. El Gobierno federal regula la cantidad de plomo en el aire, agua y el suelo.

Plomo es altamente tóxico y puede causar una variedad de efectos de la salud, desde problemas de comportamiento y discapacidad del aprendizaje, incluyendo convulsiones y la muerte. Los niños de 6 años y más jóvenes estan en la mayoría del riesgo porque sus cuerpos están creciendo rápidamente y los efectos del plomo pueden causar problemas. Los niños a menudo tienen niveles más altos de la exposición porque ellos juegan en la suciedad y pueden poner las manos sucias en la boca. Además, los niños que carecen de una nutrición adecuada pueden absorber más plomo y sufrir más de los efectos nocivos.

Asistencia de Concesion Técnica

El programa de La asistencia de concesion tecnica provee hasta \$50,000 ala comunidad para conseguir asistencia technical para que los miembros de comunidad pueden entender claramente la informacion tecnica del programa Superfund. Grupos de comunidad deben represetar la comunidad entera, obtener consejos profesionales para revisar e interpretar en terminos sencillos informacion tecnica, y usar los fondos para informar a todos los miembros de la comunidad y no solamente a grupos selectos.

Para mas informacion contacte Janet Pope al numero y direccion proveido en la pagina cuarto de este panfleto.

¿Qué debo hacer para reducir la exposición al plomo?

Usted deben tomar medidas para proteger a los niños de suelos contaminados con plomo. Mujeres embarazadas deben buscar atención prenatal para proteger a sus bebés en desarrollo. Puedes limitar la exposición de los niños de la suciedad en las siguientes maneras:

- cubra areas expuestas a la suciedad del suelo con hierba, flores, mantillo o concreto.
- lave suelos y zonas muy polvorientas con una manguera.
- desalentar a los niños de jugar en la suciedad, grava o terreno que abarquen suelos (como aceras y calzadas).
- supervisar a los niños jóvenes para impiderles que coman suciedad.
- lavarles las manos a lo niños juvenes especialmente antes de comer y antes del tiempo de siesta y la hora de la cama.
- limpiar o quitarse los zapatos antes de entrar en su casa para evitar el seguimiento de la contaminacion del plomo contenido en el suelo.
- Asegúrese que los niños coman alimentos nutritivos, comidas de bajo contenido de grasa, comidas que contienen niveles altos de hierro y calcio, tales como la espinaca y los productos lácteos. Los niños con dietas buenas absorben menos plomo.

Para evitar la ingestión de polvo contaminado con plomo, usted debe:

- colocar una alfombra de entrada en la puerta.
- aspirar alfombras y cortinas.
- limpiar el polvo con un paño aceitado.
- Trapear pisos a menudo.
- limpie los pies antes de entrar en su hogar.
- mantener las ventanas cerradas lo mas posible para reducir la suciedad en el hogar.
- reemplazar los filtros de la calefaccion a menudo.

Llame al Centro Nacional de Informacion de Plomo, (National Lead Information Center), al 800-424-LEAD (5323) para obtener más información acerca de cómo proteger a los niños de envenenamiento por plomo y de otra información sobre los riesgos de plomo, o visite www.epa.gov/lead

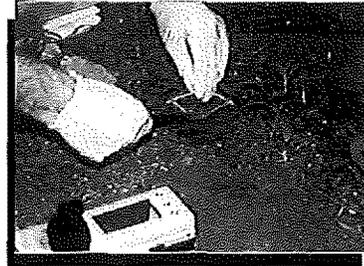
¿Desea obtener más información?

Estos representantes del EPA están disponibles para discutir con usted la toma de muestras de patio residenciales:

Michael Berkoff
Administrador Correctivo de Proyectos
312-353-8983
berkoff.Michael@EPA.gov

Janet Pope
EPA Coordinador de Participación de la Comunidad
312-353-0628
pope.janet@epa.gov

Pongase en contacto con la Region 5 llamada-gratis 800-621-8431, días de semana desde 8:30 a.m. hasta 4:30 p.m.



Técnicos que toman muestras de plomo en el suelo



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United States
Environmental Protection
Agency

Region 5
Superfund Division (SI-7J)
77 W. Jackson Blvd.
Chicago, IL 60604-3590

Return Address Requested

USS Lead: El EPA Empezara Muestreos de la Contaminacion de Plomo en los Patios

Permission needed for samples

If you live in the area described on Page 1, EPA needs your permission to take soil samples from your yard. An agreement form is included with this fact sheet for your convenience. Please complete the form, sign it and return it to EPA. EPA representatives will also be going door-to-door seeking permission from property owners. Many residents have already given permission to sample their property.

EPA will select homes to sample based on spacing, and may not necessarily take samples at all homes where access has been granted in the initial phase of sampling. If your property is selected for sampling, EPA will contact you for your permission.

EPA technicians will take samples from both the front and back yards to find out if there is any danger to you from lead in the soil. **These tests are done at no cost to you** and all the work is done outside your home.

Investigation details

EPA will collect soil samples from residential properties in two phases beginning in December. Approximately 940 residences are located within the study area and 110 of these residences will be sampled in the first phase of the investigation. In addition, one school and four parks in the study area will also be sampled.

The first phase will include sampling in the residential area on a widely spaced sampling grid to further determine the lateral and vertical extent of lead-contaminated soil at residences, schools, parks, vacant lots and other areas where children may come into contact with contaminated soil. The second phase of the investigation will be based on the results of the first phase and will identify individual residences that need to be cleaned up. EPA is planning for the second phase to start in the spring of 2010.

The samples collected will be analyzed in the field using a field screening device that can detect metal concentrations. Some of the samples will then be sent to a laboratory for confirmation analysis.

Site history

The U.S Smelter and Lead Refinery Inc. formerly recovered lead from scrap metal and old automobile batteries. Two primary waste materials were generated as a result of the smelting operations – blast-furnace slag and lead-containing dust emitted by the blast furnace stack.

Blast-furnace slag was stockpiled south of the plant building and spread once a year over an adjoining 21-acre wetland. The lead-containing dust was originally trapped in bag filters. Lead particles have been found downwind of the plant, however, which suggests that all of the lead-containing dust was not contained by the bag filters.

In the 1980s, several state and federal enforcement actions were taken against the company. In September 1985, Indiana State Board of Health found USS Lead in violation of state law because lead particles were found downwind of the plant.

Previous site investigations

Since 1993, EPA's Resource Conservation and Recovery Act, or RCRA, corrective action program has overseen the cleanup and management of lead-contaminated soil within the boundaries of the former USS Lead facility and in limited off-site areas. The cleanup of the facility addressed some of the most heavily contaminated soil and sediment located within the facility. The cleanup included a 2-acre section of the on-site wetlands, where wetland soil and sediment were contaminated with lead at concentrations in excess of 10,000 parts per million.

The residential area north of the plant includes about 1,000 homes, a few parks, schools and public buildings, and has been sampled several times by different entities. The residential area itself has been sampled many times by different groups – EPA in 1985, Entact in 1999, EPA/IDEM in 2002, EPA RCRA in 2003 and EPA in 2006.

In 2003, EPA sampled soil in the residential area north of USS Lead as a part of the RCRA corrective action investigation. Results showed some residential yards to have high levels of lead contamination. Most of the yards with the highest lead sampling results were in the southern region of the residential area. In 2004, EPA's RCRA corrective action program referred USS Lead to the federal Superfund program for cleanup of the residential yards and wetland portions of the facility.

In April 2006, EPA Superfund re-sampled the residential yards at 14 properties. The analysis of those samples confirmed that the yards for at least 12 homes had lead contamination levels above 1,200 parts per million, which is the regulatory level used in the evaluation of residential yards with lead contamination. In 2008, the Superfund removal program removed soil from 13 of the 14 yards with elevated lead levels.

What is lead and why is it dangerous?

Lead is a naturally occurring heavy metal. It is commonly found at low levels in soil. Low levels of lead can be found in cities in air, water, food and dust because of the widespread use of lead in man-made products. The federal government regulates the amount of lead in the air, water and soil.

Lead is highly toxic and can cause a range of health effects, from behavioral problems and learning disabilities to seizures and death. Children 6 years old and younger are most at-risk because their bodies are growing quickly and the effects of the lead can cause problems. Children often have higher levels of exposure because they play in dirt and may put dirty hands in their mouths. Also, children who lack proper nutrition may absorb more lead and suffer more harmful effects.

Technical assistance grants

The technical assistance grant program provides up to \$50,000 to community groups to hire technical advisors so citizens can better understand and interpret Superfund site-related technical information. Groups must represent the entire community, hire reputable advisors to review and interpret technical information in lay terms, and use their grant money to inform everyone rather than only group members.

For further information, contact Janet Pope (see back page for contact information).

What should I do to reduce exposure to lead?

You should take steps to protect children from lead-contaminated soil. Pregnant women should seek prenatal care to protect their developing infants. You can limit children's exposure to dirt in the following ways:

- Cover areas of exposed dirt with grass, flowers, mulch or concrete.
- Wash down very dusty areas with a hose.
- Discourage children from playing in the dirt, gravel or ground covers, such as sidewalks and driveways.
- Supervise young children to prevent them from eating dirt.
- Wash children's hands often, especially before they eat and before nap time and bed time.
- Clean or remove your shoes before entering your home to avoid tracking in lead from soil.
- Make sure children eat nutritious, low-fat meals high in iron and calcium, such as spinach and dairy products. Children with good diets absorb less lead.

To prevent ingestion of lead-contaminated dust, you should:

- Place a door mat at the door.
- Vacuum carpets and drapes.
- Dust with an oiled cloth.
- Mop floors often.
- Wipe your feet before entering your home.
- Keep windows closed as much as possible to reduce dirt in the home.
- Replace furnace filters often.

Call the National Lead Information Center at 800-424-LEAD (5323) to learn more about how to protect children from lead poisoning and for other information on lead hazards, or visit www.epa.gov/lead.

Want to learn more?

These EPA representatives are available to discuss the residential yard sampling with you:

Michael Berkoff
Remedial Project Manager
312-353-8983
berkoff.michael@epa.gov

Janet Pope
Community Involvement Coordinator
312-353-0628
pope.janet@epa.gov

You may call Region 5 toll-free at 800-621-8431, weekdays from 8:30 a.m. to 4:30 p.m.



Technicians taking soil samples for lead



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United States
Environmental Protection
Agency

Region 5
Superfund Division (SI-7J)
77 W. Jackson Blvd.
Chicago, IL 60604-3590

Return Address Requested

USS Lead: EPA to Begin Testing for Lead Contamination in Yards

United States of America, State of Indiana,
v.
Atlantic Richfield Company and E.I. Du Pont De Nemours and Company
No. 2:14-cv-00312

Memorandum in Opposition to Applicants' Motion to Intervene

Attachment C-9 to Janet Pope Declaration:

December 14, 2009 Post Tribune of NW Indiana, EPA Invitation to a Meeting Regarding
Residential Soil Sampling

28 MONDAY, DECEMBER 14, 2009 | ROP | POST-TRIB.COM

Indiana to pilot welfare intake fix in 10 southwest counties

INDIANAPOLIS — Indiana's human services agency will introduce more face-to-face caseworker contact and other improvements to its privatized, automated welfare intake system in 10 southwestern counties in January.

The Indiana Family and Social Services Administration is releasing details of what it's calling a "hybrid plan" of caseworker contact and technology.

IBM Corp. and partners brought call centers, document imaging and other automation to welfare intake under a now-canceled 10-year, \$1.3 billion contract with the state. — THE ASSOCIATED PRESS



U.S. Environmental Protection Agency
Region 5

Invites you to a meeting regarding USS Lead Superfund Site Residential Soil Sampling

Thursday, December 17th, 6:00 p.m.
East Chicago Public Library
2401 E. Columbus Drive
East Chicago, Ind.

EPA will hold a meeting to update the community about plans to sample and clean-up residential soil in the neighborhood near the USS Lead Superfund Site in East Chicago, Indiana. Representatives from federal and state agencies will be present to answer questions.

Persons who need special accommodations should contact EPA Community Involvement Coordinator Janet Pope, 312-353-0628 or 800-621-8431 Ext. 30628, weekdays 8:30 a.m. - 4:30 p.m.

On the Web: www.epa.gov/region5/sites/usslead

"After 2 weeks, my blood sugar went fi Breakthrough "Antioxidant" Dial Naturally improves blood sugar, cholesterol, circula

"I've been a diabetic for 48 years, my quality of life has been restored!"

What part of your diabetes would you like to see "go away"? Are you plagued by weight gain and food cravings, high and low blood sugar levels, mood swings, low energy and constant fatigue, poor circulation, vision problems, intermittent pain or aggravating bouts of brain fog or memory lapses?

There is good news and it comes in the form of an effervescent drink called OPC Factor, which quickly revitalizes your entire body and mind.

Two Weeks to Better Blood Sugar!

"My doctor was amazed! He said, 'I don't know what you're doing, but keep doing it!'"

Holistic health specialist, Dr. Charles Berg, says, "Antioxidant therapy may slow progress of impaired glucose tolerance."

Diabetic Doyle Allen is living proof. "After only two weeks, my blood sugar went from 150 to 120 and stayed there!"

The secret is a powerful antioxidant called oligo-anthocyanidins, or OPCs including grape seed, green tea, red wine extracts, along with vitamins and enzymes.

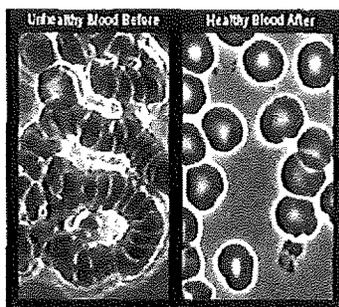
No More Horse Pills

Cell Essential's OPC is the first 100% organic by a revolutionary, big delivery system that maintains natural pH. This provides 97% absorption rate.

"Pills and tablets have as low as 2 to 20 percent,

OPC Factor Goes as little as 20 A

Actual blood scans minutes apart show he virtually flushes away excess cholesterol crystals in the bloodstream.



Watch how blood clots by eliminating toxins, free radicals, and more parasites!



100th Anniversary New Designs for Get a historic Complete U

For its 100th anniversary in 2009, the beloved Lincoln cent is featuring new reverse designs honoring Abe Lincoln's birthplace in Kentucky, his formative years in Indiana, his professional life in Illinois, and his presidency in Washington D.C. — replacing the Memorial reverse in use for half a century! Now get a historic Uncirculated 8-coin collection — featuring a complete 2009 Philadelphia (P) & Denver (D) Mint set with the first new cent designs in 50 years. With your Uncirculated 8-coin set, you'll also receive

Order this historic 8-coin set today! Mail coupon

Uncirculated P&D 8-Coin Set
YES! Please send me this set with a Free Shipping limit 5 per customer, please
Method of Payment:
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 MasterCard Amex
Card No. _____
Name _____
Address _____
City _____
E-Mail _____
45-Day Money Back Guarantee of Satisfaction
FREE! Act now and get the 2009 Uncirculated Lincoln cent with

PARTICIPANTS NEEDED!!

We are looking for people with any of the following to participate in clinical research studies:

- Low Back Pain
- Knee Pain
- Diabetes (not taking Insu/in)
- Hip Pain
- Osteoarthritis
- High Blood Pressure
- COPD/Emphysema



Participants will receive study related medical care and medication at no cost. Compensation for time and travel is provided. Health insurance is not needed.

For more information contact:

Dr. Robert Bynak (219) 464-8302



Northwest Indiana Center for Clinical Research
150 West Lincolnway, Suite 2004 • Valparaiso, IN 46383

United States of America, State of Indiana,
v.
Atlantic Richfield Company and E.I. Du Pont De Nemours and Company
No. 2:14-cv-00312

Memorandum in Opposition to Applicants' Motion to Intervene

Attachment C-10 to Janet Pope Declaration:

May 23, 2010 NW Indiana Times, EPA Invitation to Schedule Interviews about
Lead Contamination



Invoice Number: 113353
 Order Number: 322864
 Client Name: Tetra Tech EM Inc.
 Ad: East Chicago, EPA Needs Your Help
 Publication: Northwest Indiana Times
 Run dates: May 23 2010



EPA Needs Your Help

U.S. Environmental Protection Agency representatives will be in the East Chicago neighborhood on June 8, 9, and 10, 2010 and would like to schedule interviews with residents to talk about the lead contamination in the neighborhood yards.

If you would like to schedule an interview, please call 312-201-7791 or send an email to: cheryl.vaccarello@tetrattech.com. Plan on about 30 minutes for the interview. Times are available on:

- Tuesday, June 8 10:00 am until 7:30 pm
- Wednesday, June 9 10:00 am until 7:30 pm
- Thursday, June 10 10:00 am until 4:00 pm

The interviews will take place at:

Martin Luther King Community Center
 4802 Melville Ave.
 East Chicago, IN 46312

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United States of America, State of Indiana,
v.
Atlantic Richfield Company and E.I. Du Pont De Nemours and Company
No. 2:14-cv-00312

Memorandum in Opposition to Applicants' Motion to Intervene

Attachment C-11 to Janet Pope Declaration:

June 2, 2010 NW Indiana Times, EPA Invitation to Schedule Interviews about Lead
Contamination in Spanish



THE DAVID GROUP

Invoice Number: 113401
Order Number: 322864
Client Name: Tetra Tech EM Inc.
Ad: East Chicago, EPA Needs Your Help
Publication: Northwest Indiana Times
Run dates: Jun 02 2010



La EPA Necesita Tu Ayuda

Representantes de la Agencia de Proteccion Ambiental de los Estados Unidos estarán en el barrio de East Chicago el 8, 9, y 10 de junio del 2010 y les gustaría programar entrevistas con los residentes para hablar acerca de la contaminación de plomo en los patios de los vecindarios.

Si te gustaría hacer una cita para una entrevista, favor de llamar al: 312-201-7433 o enviar un correo electronico o: taliana.papakos@tetratech.com. La entrevista toma aproximadamente 30 minutos. Los horarios disponibles son:

- | | |
|-----------------------|-----------------------|
| Martes 8 de junio, | 10 a.m. - 7:30 p.m. |
| Miércoles 9 de junio, | 10:00 a.m. - 7:30 pm |
| Jueves 10 de junio, | 10:00 a.m. - 4:00 pm. |

Las entrevistas se llevarán a cabo en:
el Centro Comunitario Martin Luther King ubicado
en 4802 Melville Ave.
East Chicago, IN 46312

United States of America, State of Indiana,
v.
Atlantic Richfield Company and E.I. Du Pont De Nemours and Company
No. 2:14-cv-00312

Memorandum in Opposition to Applicants' Motion to Intervene

Attachment C-12 to Janet Pope Declaration:

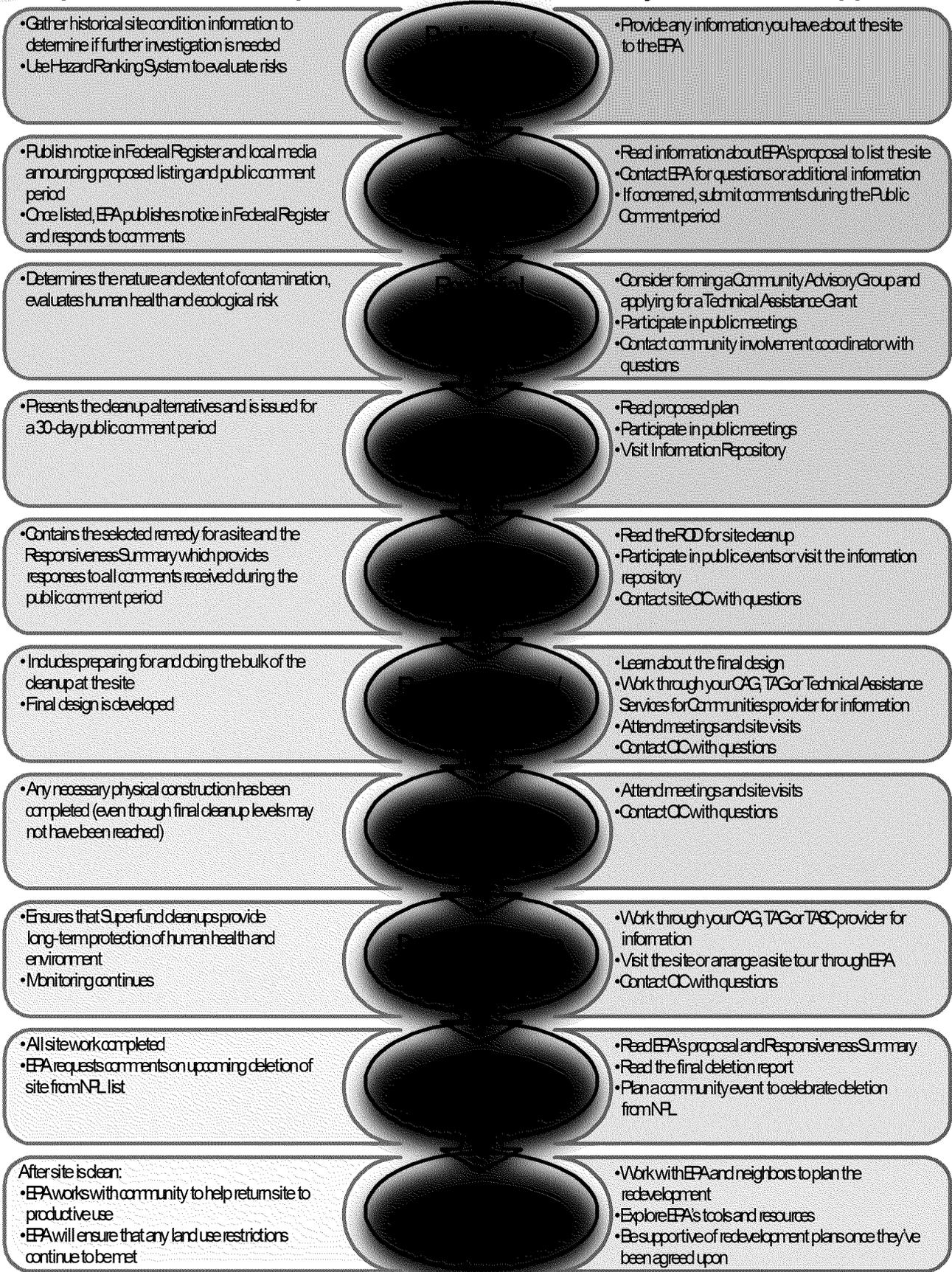
June 2010 Hand-out on Superfund Process Steps and Community Involvement Opportunities



Superfund Process

Superfund Process Steps

Community Involvement Opportunities



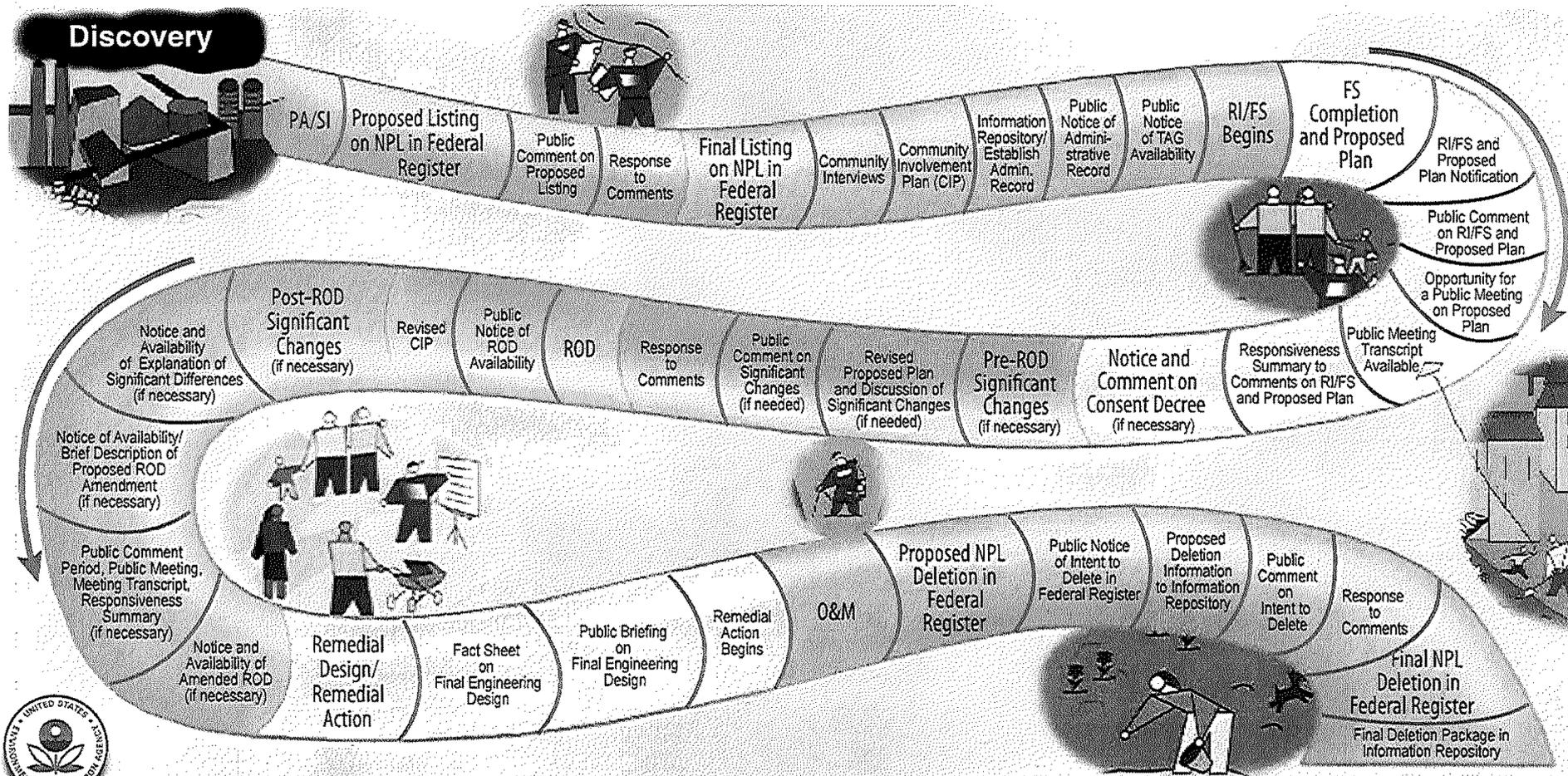
United States of America, State of Indiana,
v.
Atlantic Richfield Company and E.I. Du Pont De Nemours and Company
No. 2:14-cv-00312

Memorandum in Opposition to Applicants' Motion to Intervene

Attachment C-13 to Janet Pope Declaration:
June 2010 Hand-out on EPA Community Involvement Activities at NPL Sites



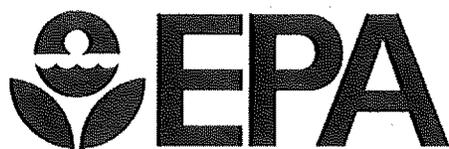
Community Involvement Activities at NPL Sites



United States of America, State of Indiana,
v.
Atlantic Richfield Company and E.I. Du Pont De Nemours and Company
No. 2:14-cv-00312

Memorandum in Opposition to Applicants' Motion to Intervene

Attachment C-14 to Janet Pope Declaration:
April 2011 EPA Community Involvement Plan



COMMUNITY INVOLVEMENT PLAN

USS Lead Superfund Site

East Chicago, Indiana

April 2011

**U.S. Environmental Protection Agency
Region 5**

CONTENTS

<u>Section</u>	<u>Page</u>
1.0 INTRODUCTION	1-1
2.0 WHAT IS SUPERFUND.....	2-1
3.0 SITE BACKGROUND.....	3-1
4.0 COMMUNITY BACKGROUND	4-1
4.1 COMMUNITY PROFILE	4-1
4.1.1 Environmental Justice.....	4-2
4.2 PAST COMMUNITY INVOLVEMENT EFFORTS	4-2
5.0 COMMUNITY CONCERNS	5-1
5.1 SUMMARY OF COMMUNITY INTERVIEWS	5-1
5.2 POTENTIAL HEALTH RISKS POSED BY THE SITE.....	5-1
5.3 COMMUNICATION WITH LOCAL RESIDENTS AND OFFICIALS	5-1
6.0 COMMUNITY INVOLVEMENT GOALS AND ACTIVITIES	6-1
6.1 SPECIFIC COMMUNITY INVOLVEMENT ACTIVITIES	6-2
6.2 TIMEFRAME FOR COMMUNITY INVOLVEMENT ACTIVITIES.....	6-5

Appendix

- A INFORMATION REPOSITORY, ADMINISTRATIVE RECORD, WEBSITE AND PUBLIC MEETING LOCATIONS
- B LIST OF CONTACTS
- C LIST OF INTERVIEW QUESTIONS

Figure

1 SUPERFUND PROCESS.....	2-2
2 SITE LOCATION MAP.....	3-3

1.0 INTRODUCTION

The U.S. Environmental Protection Agency (EPA) prepared this Community Involvement Plan (CIP) for the U.S. Smelter and Lead Refinery, Inc. (USS Lead) site in East Chicago, Indiana. EPA's Community Involvement Program is committed to promoting communication between citizens and the Agency. Active community involvement is crucial to the success of any public

The CIP:

- Assists the public in understanding the decision-making process during project design and cleanup and the community's role in that process.
- Provides the public with accessible, accurate, timely and understandable information about the project as it moves forward
- Ensures adequate time and opportunity for the public to provide informed and meaningful input and for that input to be considered
- Respects and fully considers public input throughout the process as the project moves forward.

project.

EPA used several information sources to develop this plan, including community interviews conducted in June 2010 with local residents, local officials, other parties interested in activities at the USS Lead site in East Chicago, Indiana and site files. In addition to this introduction, the CIP contains the following sections:

- **Section 2.0, What is Superfund** – This section discusses the Superfund program.
- **Section 3.0, Site Background** – This section provides an overview of the site's history and operations, as well as site investigations and cleanup work.
- **Section 4.0, Community Background** – This section provides a profile of the population of East Chicago, Indiana and describes the history of community involvement in the site cleanup.
- **Section 5.0, Community Concerns** – This section summarizes community concerns discussed during the June 2010 community interviews.
- **Section 6.0, Community Involvement Goals and Activities** – This section describes site-specific objectives developed in response to identified community concerns and activities to be conducted to accomplish these objectives.

Appendix A of the CIP lists the location of the information repository, administrative record, website, and possible meeting locations; Appendix B provides contact information for EPA project contacts, elected officials and the media; and Appendix C provides a list of questions asked during the community interviews.

This draft CIP is being released to the public by EPA for review and comment. If you are interested in submitting comments or have questions about this draft CIP, please contact:

Janet Pope
Community Involvement Coordinator
EPA Region 5 (SI-7J)
77 W. Jackson Blvd.
Chicago, IL 60604-3507
Phone: 312-353-0628 or 800-621-8431 x 30628
pope.janet@epa.gov

For more information on the USS Lead site, visit www.epa.gov/region5/sites/usslead or request information by contacting EPA's community involvement coordinator, Janet Pope (see contact information above).

2.0 WHAT IS SUPERFUND?

Superfund is the Federal environmental cleanup program legally known as the Comprehensive Environmental Response, Compensation, and Liability Act, or CERCLA, which was enacted in 1980. In 1986, the Superfund Amendments and Reauthorization Act (SARA) reauthorized CERCLA to continue cleanup activities around the country. Through CERCLA, EPA was given authority to compel people or companies responsible for creating hazardous waste sites to clean them up or reimburse the government for EPA-lead cleanups. Through various enforcement tools, EPA obtains private party cleanup through orders, consent decrees, and other small party settlements. EPA may also recover costs from financially viable individuals and companies once a cleanup action has been completed. EPA is authorized to implement CERCLA in all 50 states and U.S. territories. Superfund site identification, monitoring, and response activities in states are coordinated through the state environmental protection or waste management agencies. The Superfund program encourages active dialogue between communities affected by the release of hazardous substances and the agencies responsible for carrying out or overseeing cleanup actions.

There are several steps involved in cleaning up a polluted site and EPA follows a step-by-step process to determine the best way to clean up the site and protect human health and the environment. EPA considers community involvement to be an important part of the Superfund program and opportunities for community involvement occur throughout the process. Figure 1 on the next page outlines the steps in the Superfund process and highlights opportunities for community involvement at each step of the process.

Visit EPA's website for more information on the Superfund process.

Superfund: www.epa.gov/superfund/index.htm

Cleanup Process: www.epa.gov/superfund/cleanup/index.htm

Community Involvement: www.epa.gov/superfund/community/index.htm

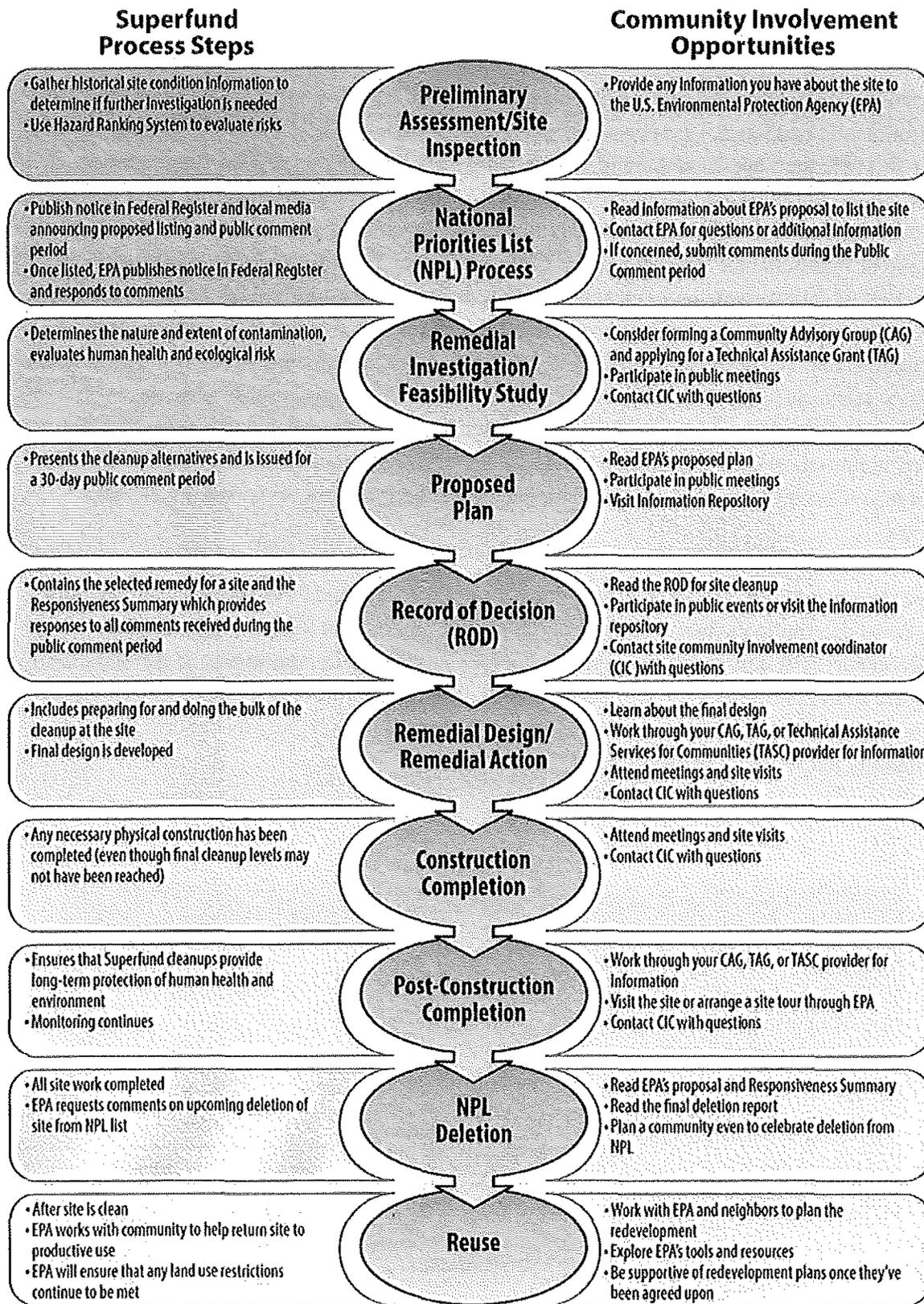


Figure 1 shows community involvement opportunities at each step of the Superfund process.

3.0 SITE BACKGROUND

The USS Lead site lies on a 79-acre area of land in East Chicago, Indiana. From 1906 to 1920, the Delamar Copper Refinery operated at the facility as a copper smelter. In 1920, the property was purchased by U.S. Smelting Refining and Mining and the facility became a lead refinery. Between 1972 and 1973, USS Lead was converted to a secondary lead smelter, recovering lead from scrap metal and old automobile batteries. Two primary waste materials were generated as a result of the smelting operations – blast-furnace slag and lead-containing dust emitted by the blast furnace stack. Blast-furnace slag was stockpiled south of the plant building and spread once a year over an adjoining 21-acre wetland. The lead-containing dust was originally trapped in bag filters. Lead particles have been found downwind of the plant, however, which suggests that all of the lead-containing dust was not contained by the bag filters. In the 1980s, several state and federal enforcement actions were taken against the company. In September 1985, Indiana State Board of Health found USS Lead in violation of state law because lead particles were found downwind of the plant.

In addition to the USS Lead facility, there are several other potential sources of lead contamination in the residential area, including the former Anaconda Copper Company (Anaconda) site; and E.I. DuPont de Nemours Company (DuPont). Anaconda occupied the area along the Indiana Harbor Canal where the Gosch Elementary School and the public housing residential complex immediately south of the school are currently located (the southwest portion of the Residential Area). The Gosch Elementary School and the East Chicago Public Housing complex were built on the Anaconda site after 1959. The Anaconda site included the subsidiary operations Anaconda Lead Products, a manufacturer of white lead and zinc oxide, and the International Lead Refining Company, a metal refining facility. These operations consisted of a pulverizing mill, white lead storage areas, a chemical laboratory, a machine shop, a zinc oxide experimental unit building and plant, a silver refinery, a lead refinery, a baghouse, and other miscellaneous buildings and processing areas. DuPont was located south of the USS Lead site and east of the former USS Lead facility. DuPont historically manufactured the pesticide lead arsenate at this location.

The residential area north of the plant includes about 1,000 homes, a few parks, schools and public buildings, and has been sampled several times by different entities. The residential area itself has been sampled many times by different groups – EPA in 1985, Entact in 1999, EPA/IDEM in 2002, EPA in 2003 and 2006. In 2003, EPA sampled soil in the residential area north of USS Lead as part of the Resource Conservation and Recovery Act (RCRA) corrective action investigation. Results from the testing showed high levels of lead contamination in some residential yards. In 2004, EPA's RCRA corrective action program referred USS Lead to the federal Superfund program for cleanup of the residential yards and wetland portions of the facility.

In April 2006, EPA Superfund program re-sampled the residential yards at 14 properties. The analysis of those samples confirmed that the yards for at least 12 homes had lead contamination levels above 1,200 parts per million, which is the regulatory level used in the evaluation of residential yards with lead contamination. In 2008, the Superfund removal program removed soil from 13 of the 14 yards with elevated lead levels.

In December 2009, EPA collected soil samples in the first of two phases from 110 yards, four parks, and one school in an area between East Chicago Avenue and 151st Street, and between the Indiana Harbor Canal and Parrish Avenue. In the first phase, sampling in the residential area was done on a widely-spaced sampling grid to determine the lateral and vertical extent of lead-contaminated soil at residences, schools, parks, vacant lots and other areas where children may come into contact with contaminated soil. The samples were analyzed in the field with a field screening device that can detect metal concentration. Letters which included the sampling results were sent to the homeowners.

During the Spring and Summer of 2010, EPA conducted a second phase of investigation to further assess areas where sensitive populations (children, seniors and those who have weakened immune systems) may be exposed and to address spatial data gaps. Samples were collected from baseball diamonds, the walking path west of Carrie Gosch Elementary School, Kennedy Gardens Park, the grounds of St. Joseph's Carmelite Home for Girls, and several additional residences. A remedial investigation report is currently being prepared and a feasibility study is being conducted to determine the most appropriate way to address the contaminated soils. These reports will be available for public comment as they are released at the local Information Repository and Administrative Records (see Appendix A for more information).



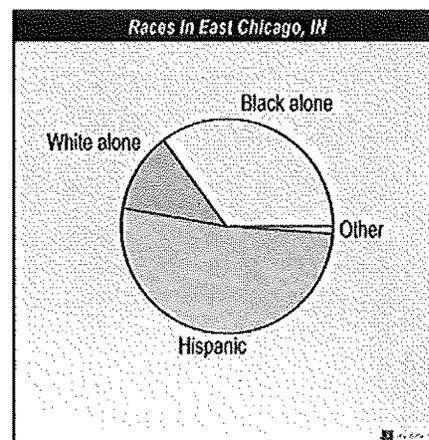
Figure 2 shows the boundaries of the USS Lead site in East Chicago, Indiana.

4.0 COMMUNITY BACKGROUND

This section describes the composition of the city of East Chicago, Indiana communities, the history of community involvement with the site, and major community concerns in East Chicago regarding the site.

4.1 COMMUNITY PROFILE

According to the City-Data.com website, as of July 2009, the population of East Chicago is 29,900. The racial makeup of the city is approximately 51 percent Hispanic, 36 percent Black or African American, 12 percent White Non-Hispanic, 1 percent American Indian, with 3 percent of the population reporting two or more races.



The city of East Chicago is located in Lake County of northwest Indiana, approximately 20 miles southeast of Chicago, Illinois. It encompasses an area of 12 square miles. The nearest Indiana city (approximately 2 miles away) with a population of 83,048 is Hammond, Ind.

The USS Lead site area in East Chicago encompasses three neighborhoods including public housing, and the West Calumet and East Calumet areas. As there is a large Hispanic population, Spanish translation services for meetings and documents are needed to support transparent communication with this community.

East Chicago, nicknamed the *Twin City*, was incorporated in 1893 as a steel and railroad town. During the Industrial Revolution, the city was known as the most industrialized municipality due to its abundance of industrial factories. During World War I, East Chicago was known as the "Arsenal of America."

East Chicago is governed by a mayor, who is elected every four years and a city council, whose members are elected every two years. The city is assisted by a city clerk, township assessor, and township trustee. East Chicago has a health department which has been kept informed of activities at the site. The East Chicago Redevelopment Authority is also active in the community.

The main daily newspapers in the area are *The Northwest Indiana Times* (formerly *The Hammond Times*) and *The Post Tribune*. The main television stations include WLS-TV, WMAQ-TV, WTTW, WFLD, WGN-TV, and WBBM-TV. The local cable channel, E.C. TV provides local coverage. Multiple AM and FM radio stations from the Chicagoland area service the East Chicago area. A list of local media sources are listed in Appendix B.

4.1.1 Environmental Justice

The Environmental Justice Act of 1992 obligates federal agencies to make environmental justice part of its overall mission by “identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations.” Following this order, the Office of Environmental Equity within EPA became the Office of Environmental Justice. EPA’s Office of Environmental Justice ensures that all people, regardless of race, color, national origin, or income, enjoy the same degree of protection from environmental and health hazards and equal access to the decision-making process for a healthy living, learning, and work environment. Ensuring environmental justice means not only protecting human health and the environment for everyone, but also ensuring that all people are treated fairly and are given the opportunity to participate meaningfully in the development, implementation, and enforcement of environmental laws, regulations, and policies. EPA considers East Chicago an environmental justice community, which means it is a community that historically is an under-represented minority and low-income area burdened with significant environmental challenges.

When making decisions about a cleanup and planning its community involvement initiative for a community, EPA must take environmental justice issues into account. As part of this effort, EPA is working to improve collaboration between federal agencies and communities, and addressing environmental challenges in more effective, efficient, and sustainable ways.

4.2 PAST COMMUNITY INVOLVEMENT EFFORTS

Informational meetings were held in March 2006, December 2007 and December 2009 to explain the residential sampling activities in the area and to give residents an opportunity to ask questions about the site. EPA has issued several fact sheets to update the public on site cleanup efforts and to provide information on how to protect people from lead contamination. These fact sheets were issued in March 2006, October 2007, December 2007, and December 2009. These fact sheets and other site-related information can be accessed on the website, www.epa.gov/region5/sites/usslead.

EPA conducted interviews with local residents and other interested parties in June 2010. EPA representatives attended Calumet Day, a local neighborhood gathering, in July 2010.

An information repository has been established for the site at the East Chicago Public Library, located at 2401 E. Columbus Drive in East Chicago. The repository contains site-related documents such as technical reports, sampling results, general information about EPA and the Superfund program, and other information.

The community interviews conducted in June 2010 represents EPA’s continuing efforts to engage the community. More information on the interviews can be found in Section 5.

5.0 COMMUNITY CONCERNS

During June 2010, EPA conducted in-person interviews with 25 East Chicago residents and other interested parties to identify their questions, concerns, and information needs regarding the USS Lead site. A Spanish translator participated in the interviews for those residents who were more comfortable talking in Spanish. The key concerns and questions raised during the community interviews are summarized below. The interviews were conducted in a discussion format and each interviewee was asked approximately 16 questions from a list.

Note to readers: This summary is intended to faithfully record and reflect the issues and concerns expressed to EPA by residents, officials and others interviewed during the community interviews. Please be cautioned that the statements contained in this section may, or may not, be applicable.

5.1 SUMMARY OF COMMUNITY INTERVIEWS

All but one of the 25 interviewees have been longtime residents and neighbors of the site. The majority of people said that they knew little or nothing about the site though some said that they heard there could be lead contamination from the site and a few people either had samples taken at their property or knew of someone who had samples taken. Overall, there does not seem to be a high level of concern from the community about the USS Lead site though many of the residents interviewed expressed concerns about other issues in their area such as drugs and gang problems. Some residents said their concern was not with USS Lead, but with DuPont, which they believe has caused flooding problems in the area and wondered if the lead could leach into the standing water.

A few residents commented that there was a lot of garbage and waste around the public housing area and people attributed the problems to prior industrial activity in the area.

5.2 POTENTIAL HEALTH RISKS POSED BY THE SITE

Some people did not have any concerns about the site and said that having the industry nearby was just a fact of living in the area and no one really paid attention. Other residents did express concerns about the children in the area being exposed to lead and some asked if exposure to the lead could have caused cancer or birth defects in some of the children. Concern was also expressed from residents that garden and they wondered if the vegetables would be contaminated with lead.

5.3 COMMUNICATION WITH LOCAL RESIDENTS AND OFFICIALS

All of the people interviewed want to receive information by regular mail. About half of the people asked to be kept informed about the site through e-mail, whereas the other half did not have email or access to the internet at their home. The people interviewed were mixed in their response about the timing for future meetings. Many of the residents said that at least two meetings should be held – one in the day and one in the early evening in order to provide accessibility to the community. Many negative comments were received about the look of past communications. Those interviewed said that the information looks like “junk mail” and they throw it out. People did remember the yellow postcard announcing the interviews because it stood out.

During the interviews it was noted several times that people would not know to look for information about the site under the name USS Lead. It was suggested that the site name reference East Chicago, as it would be more recognizable to area residents.

6.0 COMMUNITY INVOLVEMENT GOALS AND ACTIVITIES

When establishing the objectives for a site-specific community involvement program, EPA considers several factors, including federal requirements that assess the nature and extent of known or perceived site contaminants and known community concerns and requests.

To be effective, the community involvement program must be designed to meet the community's need to know, give information in a timely manner, accommodate the community's interest and willingness to participate in decision-making processes and use a language(s) the public can understand.

To meet the needs of the community and to respond to information obtained during the June 2010 community interviews and meet federal requirements, the following objectives have been established for community involvement efforts:

- Enlist the support and involvement of local officials and community leaders
- Monitor citizen interest in the site and respond accordingly
- Keep the community well informed of ongoing and planned site activities
- Provide follow-up explanations about technical site activities and findings
- Provide health information updates about the effects of lead and ways to prevent lead poisoning, especially as it relates to children
- Provide opportunities for public input on key decisions
- Establish a website that provides updates
- Provide information in English and Spanish
- Hold meetings in different areas within the community and at different times of the day to give all residents an opportunity to attend

EPA has implemented, or will implement, the activities described below to meaningfully and actively engage the East Chicago community in decisions regarding the cleanup of the USS Lead site. The following plan is intended to provide opportunities for communication between the community and EPA, and address key concerns and questions raised during the community interviews conducted in June 2010.

6.1 SPECIFIC COMMUNITY INVOLVEMENT ACTIVITIES

To address community concerns and questions described in Section 5.0, EPA has conducted (or will conduct) the activities described below. Through these activities, it is EPA's goal to inform, involve and engage the community during site cleanup decisions and efforts.

Maintain Point of Contact. EPA has designated a community involvement coordinator (CIC) as a point of contact. The CIC serves as a liaison between the community and EPA. The current CIC is Janet Pope, who can be reached at 312-353-0628; 800- 621-8431, ext. 30628 or via email at pope.janet@epa.gov. In addition to the CIC, there is a technical point of contact. The remedial project manager is Michael Berkoff, who can be reached at 312-353-8983; 800- 621-8431, ext. 38983 or via email at berkoff.michael@epa.gov.

EPA will include contact information on all written and electronic information and will notify the community of any contact information changes.

Establish a Toll-Free Number For Residents To Ask Questions And Receive Information. Both Ms. Pope and Mr. Berkoff can be reached at 800-621-8431, weekdays from 8:30 a.m. to 4:30 p.m.

Residents can call this number as questions or concerns arise, rather than waiting for a public meeting or to receive written information. EPA publishes this toll-free number periodically in the local newspapers and in all fact sheets or other EPA communications.

Maintain Communication with Local Officials, Agencies, and Community Residents. EPA interviewed a local official from the East Chicago Redevelopment Authority in the June 2010 community interviews.

EPA will continue to maintain communication with them as the site is studied. This will be done via phone or email.

Update and Maintain the Site Mailing List. A mailing list of local residents, organizations, businesses, and officials has been established for the site. This list is used for mailing fact sheets, site updates, invitations to public meetings and events and other site-related information to the community. The list will be updated regularly to reflect address changes and changes in elected officials and to add new people interested in site activities. EPA will also establish an email list and provide regular updates as appropriate.

EPA uses the site mailing list to distribute written information such as fact sheets and meeting notifications. This is a way to ensure that those that do not have access to the Internet or other

information sources still have a way to receive information directly about the site. If a community member is interested in being placed on either mailing list they can contact the current CIC, Janet Pope at 312-353-0628; 800- 621-8431, ext. 30628 or via email at pope.janet@epa.gov.

Prepare and Distribute Fact Sheets and Site Updates: Fact sheets, letters, and site updates summarizing current information about the site and describing upcoming activities may be prepared and distributed to those on the site mailing and email lists. These documents are written in non-technical language and typically done to coincide with site milestones. The documents are also prepared in Spanish. Based upon community feedback, documents should be more eye-catching and appealing so the information is not mistaken for junk mail and thrown out.

EPA uses these types of documents to provide the community with detailed information in a relatively quick, simple and easy-to-understand manner. In addition to being distributed to individuals on the site mailing lists, fact sheets and site updates are also placed in the information repository and posted on the website: www.epa.gov/region5/sites/usslead.

Establish and Maintain a Site-Specific Information Repository. EPA has set up an information repository at the East Chicago Public Library, located at 2401 E. Columbus Drive in East Chicago. The repository is a reference collection of site information available to the public for reading and photocopying. Documents include fact sheets, technical reports, the CIP, general Superfund information and other documents. EPA adds new documents about the site as they become available.

Information repositories provide residents with local access to site information in forms that can be easily read and photocopied for future use.

Establish and Maintain the Administrative Record. The Administrative Record for the USS Lead site can be found at the East Chicago Public Library. EPA will update the Administrative Record as necessary.

The Administrative Record provides residents with a paper trail of all documents EPA relied on, or considered, to reach decisions about the site cleanup.

Conduct Public Meetings and Information Sessions: Public meetings and information sessions are typically held to communicate information and to solicit questions and input from the community. The purpose of the meeting should dictate the forum and the frequency. The achievement of certain project milestones or discovery of new information may warrant a more formal public meeting with presentations of technical information by EPA personnel. During

ongoing site work, information sessions may be needed to keep the community informed of site progress, answer resident questions about ongoing work, and obtain information about the resident perceptions and concerns.

EPA held informational meetings in December 2007 and December 2009 to present site-specific information and solicit community input.

EPA will consider conducting meetings at different times and different locations throughout the community to give all residents an opportunity to attend as needed. EPA will also provide a Spanish translator at meetings to enhance communication with the Hispanic community.

All meetings will be advertised in a local newspaper, such as the *Northwest Indiana Times* and *Post Tribune* at least 1 week prior to the meeting.

Develop and Distribute News Releases: EPA has prepared and released announcements to local newspapers such as the *Northwest Indiana Times*, *Viva* (Hispanic publication) and *Post Tribune* to provide information about events such as significant site investigation findings, completion of major milestones, significant scheduling information, and other pertinent site-related information.

News releases allow EPA to reach large audiences quickly. They are posted on EPA's website, www.epa.gov/region5/sites/usslead. EPA typically publishes news releases and public notices to announce major events such as comment periods, public meetings, and major milestones such as the selection of a cleanup plan.

EPA will continue to issue news releases and public notices in both English and Spanish as site activities progress. Copies of the news releases and public notices are also available in the Information Repository.

Solicit Community Input During Public Comment Periods. EPA holds public comment periods to give community members an opportunity to review and comment on key decisions. Before EPA selects a final cleanup plan for the USS Lead site, the Agency will hold a public comment period to allow interested residents an opportunity to review and comment on its proposed plan. EPA will consider the community's input before selecting a final cleanup plan. EPA's response to public comments will be summarized in a document called a responsiveness summary, which will be placed in the site information repository and made available on EPA's website.

Plan or Participate in Community Events. EPA attended Calumet Day in July 2010 during which the CIC met with community members to discuss the USS Lead site and answer questions.

EPA will attend additional events as opportunities arise.

Evaluate Community Involvement and Outreach Efforts and Make Adjustments as Warranted. This CIP was designed to consider site- and community-specific factors as well as to comply with federal requirements. Community concerns, the objectives of the community involvement program for the site, and specific activities to address these concerns in this CIP were based to a large extent on information obtained during June 2010 interviews with local residents and officials. EPA recognizes that changes in areas such as community perceptions, information needs, and population demographics can occur over time and that such changes may necessitate a revised approach to conducting community involvement activities. For this reason as well as to determine whether the activities in this plan are achieving their intended objectives, periodic reviews will be done to determine whether additional activities are warranted or whether changes to current methods of implementing the activities outlined in this plan are necessary.

6.2 TIMEFRAME FOR COMMUNITY INVOLVEMENT ACTIVITIES

The following table presents the general timeframe for the activities described in Section 6.1.

Community Involvement Activities	Timeframe
Maintain Point of Contact	Done
Establish a Toll-Free Number for Residents To Ask Questions and Receive Information	Done; publish on written materials
Maintain Communication with Local Officials, Agencies, and Community Residents	Ongoing as needed
Update and Maintain Site Mailing and Email Lists	Done; update as needed
Prepare and Distribute Fact Sheets and Site Updates	As needed
Establish and Maintain a Site-Specific Information Repository	Done; update as needed
Establish and Maintain the Administrative Record	Done; update as needed
Conduct Public Meetings and Information Sessions	Ongoing as needed
Develop and Distribute News Releases	Ongoing as needed
Solicit Community Input During Public Comment Periods	When proposed cleanup plan is completed
Plan or Attend Community Events.	As requested
Evaluate Community Involvement and Outreach Efforts and Make Adjustments to the CIP as Warranted	Periodically throughout the cleanup process

APPENDIX A

Information Repository, Administrative Record, Website and Public Meeting Locations

Information Repository and Administrative Record

East Chicago Public Library
2401 E. Columbus Drive
East Chicago, IN 46312
Phone: 219-397-2453

Library Hours: Monday-Thursday, 9 a.m. – 8 p.m.; Fridays and Saturdays, 10 a.m. – 6 p.m.

EPA Web Page

www.epa.gov/region5/sites/usslead

Possible Meeting Locations

East Chicago Public Library
2401 East Columbus Drive
East Chicago, IN 46312
219-397-2453

Robert Pastrick Branch (East Chicago Public Library)
1008 West Chicago Avenue
East Chicago, IN 46312
219-397-5505

Carrie Gosh School
455 East 148th Street
East Chicago, IN 46312
219-3914172

Martin Luther King Community Center
4802 Melville Avenue
East Chicago, IN 46312
219-391-8481

Roberto Clemente Center
3616 Elm Street
East Chicago, IN 46312
219-391-8485

APPENDIX B

List of Contacts

U.S. EPA Region 5 Project Contacts	
Janet Pope Community Involvement Coordinator Superfund Division (SI-7J) 77 W. Jackson Blvd. Chicago, IL 60604-3590	312-353-0628 800-621-8431, ext. 30628 pope.janet@epa.gov
Michael Berkoff Remedial Project Manager Superfund Division (SR-6J) 77 W. Jackson Blvd. Chicago, IL 60604-3590	312-353-8983 800-621-8431, ext. 38983 berkoff.michael@epa.gov
Federal Elected Officials	
Senator Dan Coats 1650 Market Tower 10 West Market St. Indianapolis, IN 46204	317-554-0750
B-40E Dirksen Building Washington, D.C. 20510	202-224-5623 www.coats.senate.gov/contact
Senator Richard Lugar 175 W. Lincolnway, Suite G-1 Valparaiso, IN 46383	219-548-8035
306 Hart Senate Office Building Washington, D.C. 20510	202-224-4814 www.lugar.senate.gov/contact
Congressman Pete Visclosky 1 st District 7895 Broadway, Suite A Merrillville, IN 46410	219-795-1844
2256 Rayburn House Office Building Washington, D.C. 20515	202-225-2461 www.visclosky.house.gov/contact/email-me.shtml

State Elected Officials	
Governor Mitch Daniels Office of the Governor Statehouse 200 W. Washington St., #206 Indianapolis, IN 46204-2731	317-232-4567 www.in.gov/gov/2631/htm
State Senator Lonnie Randolph 2 nd District Indiana State Senate 200 W. Washington St. Indianapolis, IN 46204	800-382-9467 s2@iga.in.gov
State Representative Earl Harris 2 nd District Indiana House of Representatives 200 W. Washington St. Indianapolis, IN 46204	800-392-9842 h2@in.gov
State Rep. Mara Candelaria Reardon 12 th District Indiana House of Representatives 200 W. Washington St. Indianapolis, IN 46204	317-232-9600 h12@in.gov
Local Officials	
<u>City of East Chicago</u>	
Anthony Copeland Mayor 4527 Indianapolis Blvd. East Chicago, IN 46312	219-391-8200 www.eastchicago.com
Mary Morris Leonard City Clerk 2301 East Columbus Drive East Chicago, IN 46312	219-391-8491 www.eastchicago.com
<u>East Chicago City Council Office</u> 4525 Indianapolis Blvd. East Chicago, IN 46312	219-391-8217

East Chicago City Council Members

Adrian Santos 1 st District 4510 Magoun St. East Chicago, IN 46312	219-391-5003 www.eastchicago.com/
Lenny Franciski 2 nd District 5505 Wegg Ave. East Chicago, IN 46312	219-391-0268 www.eastchicago.com/
Jimmy Ventura 3 rd District 4939 Grasselli St. East Chicago, IN 46312	219-354-8449 www.eastchicago.com/
Christine Vasquez 4 th District 2011 Joy Lane East Chicago, IN 46312	219-391-8524 www.eastchicago.com/
Robert Garcia 5 th District 3733 Parrish Ave. East Chicago, IN 46312	219-545-9075 www.eastchicago.com/
Gilda Orange 6 th District 4525 Indianapolis Blvd. East Chicago, IN 46312	219-398-0136 www.eastchicago.com/
Richard Medina At-Large Councilman 4216 Euclid Ave. East Chicago, IN 46312	219-391-8331 www.eastchicago.com/
Juda Parks At-Large Councilman 4236 Tod Ave. East Chicago, IN 46312	219-808-3416 www.eastchicago.com/
Myrna Maldonado At-Large Councilwoman 4142 Olcott Ave. East Chicago, IN 46312	219-392-9952 www.eastchicago.com/

Local Agencies

East Chicago Health Department

100 W. Chicago Ave.
 East Chicago, IN 46312

Dr. Paula Benchik 219-391-8467
 Health Department Commissioner

Department of Redevelopment

4920 Larkspur Drive
 East Chicago, IN 46312

John Artis ecdr@ecredev.com
 Executive Director

Lyvette Turk 219-397-9974, ext. 25
 Community Development Programs Manager LTurk@ecredev.com

Newspapers

The Northwest Indiana Times 219-933-3200
Viva (Hispanic publication)
 601 W. 45th Ave.
 Munster, IN 46321

The Post Tribune 800-753-5533
 1433 E. 83rd. Ave.
 Merrillville, IN 46410

Radio Stations

WIND 560 AM 847-437-5200
 25 NW Point Blvd., Suite 400 <http://www.560wind.com/>
 Elk Grove Village, IL 60007

WLS 890 AM 312-984-0890
 190 N. State St., 9th Floor <http://www.wlsam.com/>
 Chicago, IL 60601

WJOB 1230 AM 219-844-1230
 6405 Olcott Ave. <http://www.wjob1230.com/>
 Hammond, IN 46320

WGN 720 AM 312-222-4700
 435 N. Michigan Ave. <http://www.wgnradio.com/>
 Chicago, IL 60611

Radio Stations (continued)

WPWX 92.3 FM
6336 Calumet Ave.
Hammond, IN 46324

219-933-4455
<http://www.power92chicago.com/>

WYCA 106.3 FM
6336 Calumet Ave.
Hammond, IN 46324

219-933-4455
<http://soul1063radio.com/>

WNUA 95.5 FM (Spanish)
233 N. Michigan Ave.
Chicago, IL 60601

312-540-2000
<http://www.wnua.com/>

WDRV 97.1 FM
875 N. Michigan Ave., Suite 1510
Chicago, IL 60611

312-274-9710
<http://www.wdrv.com/>

Television Stations

WLS-TV ABC 7
190 N. State St.
Chicago, IL 60601

312-750-7777
<http://abclocal.go.com/wls/index>

WMAQ-TV NBC 5
454 N. Columbus Dr.
Chicago, IL 60611

312-836-5555
<http://www.nbcchicago.com/>

WTTW-TV 11
5400 N. St. Louis Ave.
Chicago, IL 60625

773-583-5000
<http://www.wttw.com/>

WFLD-TV FOX 32
205 N. Michigan Ave.
Chicago, IL 60601

773-528-2311
<http://www.myfoxchicago.com/>

WBBM-TV CBS 2
22 W. Washington St.
Chicago, IL 60602

312-899-2222
<http://chicago.cbslocal.com/>

E.C. TV-News Indiana Channel 21
400 E. Chicago Ave.
East Chicago, IN 46312

219-391-8206
echgoevents@gmail.com

APPENDIX C

List of Interview Questions

Community Interviews conducted June 2010

1. How long have you lived/worked in the area?
2. Do you represent or are you a member of a community organization or group?
3. What do you know about the USS Lead site?
4. How did you get information about the site?
5. What concerns, if any, do you have about the problems associated with the USS Lead site for you and your family?
6. How would you characterize the concerns of the community about the USS Lead site?
7. Who have you talked to (any local, state, or federal government agencies) about the site? What kind of response did you receive?
8. How are you currently receiving information about the site? Would you like to be on EPA's mailing list or email list?
9. How would you like to get information about the site cleanup? Fact sheets; workshops; Internet; public notices; news media; public meetings
10. Have you participated in any public meetings and/or community group meetings for the site? If so, how many?
11. Are you aware of EPA's website? Have you been on it? Is it easy to navigate?
12. What days, times, and locations would be best for public meetings?
13. What newspapers do you read?
14. Is English widely understood in this community? What other languages do people speak?
15. What other individuals might we contact for an interview?
16. Is there anything else you would like to share about the site?

United States of America, State of Indiana,
v.
Atlantic Richfield Company and E.I. Du Pont De Nemours and Company
No. 2:14-cv-00312

Memorandum in Opposition to Applicants' Motion to Intervene

Attachment C-15 to Janet Pope Declaration:
EPA's Proposed Plan for Cleanup of Residential Areas (July 2012)



EPA Proposes Cleanup Plan for Residential Area

U.S. Smelter and Lead Refinery Superfund Site
East Chicago, Indiana

July 2012

Share your opinions

EPA invites your comments on this proposed cleanup plan from **July 12 to Aug. 11**. There are four ways for you to submit comments:

- Fill out and return the enclosed comment sheet.
- Orally or in writing at the public meeting.
- On the Internet at www.epa.gov/region5/cleanup/publiccomment/usslead-pubcomment.htm.
- Send a fax to Michael Berkoff, 312-353-1263.

Public meeting

Wednesday, July 25, 6:00 p.m.

East Chicago Public Library
2401 E. Columbus Ave.
East Chicago

After a brief presentation, EPA will hold a formal public meeting to accept comments on the proposed plan. A court reporter will record the meeting and all comments.

Contact information

Janet Pope
Community Involvement Coordinator
312-886-4360
pope.janet@epa.gov

Michael Berkoff
Remedial Project Manager
312-353-8983
berkoff.michael@epa.gov

You may call the EPA toll-free at 800-621-8431, 8:30 a.m. – 4:30 p.m., weekdays

To clean up soil contamination in the USS Lead site residential area, the U.S. Environmental Protection Agency is proposing a cleanup plan.¹ The plan calls for EPA to dig up and remove contaminated soil and take it to an off-site facility. Each yard would then be restored with clean soil. Though lead is the most widespread contaminant, arsenic was also found at some locations.

The cleanup plan calls for removing up to 2 feet of contaminated soil and replacing it with clean soil, including 6 inches of topsoil. If workers find contamination deeper than 2 feet, they will lay down a barrier, such as orange construction fencing or landscape fabric, and place clean soil over the barrier. EPA would place controls on the property to ensure the barrier stays in place.

EPA proposed this cleanup plan after studying the site and considering a number of alternatives. EPA recommends Alternative 4A described on Page 3. It protects people and the environment, meets the applicable regulations, is cost-effective and will be effective in the long term.

Before making a final decision, EPA will hold a public meeting and seek comments from the public (*see box, left*). In consultation with the Indiana Department of Environmental Management, EPA may change its proposed plan or choose a new one based on public comments, so your opinion is important. The final cleanup plan will be part of an EPA document called the “record of decision.”

Site location

The USS Lead site is made up of two separate areas called “operable units.” Operable Unit 1, or OU1, is a 322-acre residential area bounded by East Chicago Avenue on the north, East 151st Street on the south, the Indiana Harbor Canal on the west and Parrish Avenue on the east (*see figure on Page 7*). OU2 is the former USS Lead facility on 151st Street. This proposed plan is only for OU1 – the residential area. The site history for OU2 is included for background information only.

¹Section 117(a) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA, known as the Superfund law) requires the publication of a notice announcing the proposed plan. It also requires a public meeting and public comment period. This fact sheet summarizes the technically written proposed plan and other site-related environmental reports that can be viewed at the East Chicago Public Library, 2401 E. Columbus Ave.; the Robert A. Pastrick Library Branch, 1008 W. Chicago Ave.; and the EPA Region 5 office in Chicago.

As part of its investigation, EPA did a study known as a Human Health Risk Assessment. This tells EPA about the current and potential future effects on people from the soil contamination. The HHRA considers everyone who lives and works in the area to potentially be at risk.

The area includes residential, recreational, educational, and industrial and commercial properties. The school and park are included as residential properties because people at these locations are local residents.

The main way people in and around OUI are exposed to lead is by touching the soil or inhaling small particles of soil. People may also swallow lead if they eat produce from home gardens or do not wash their hands between working in their yard and eating. EPA usually removes the top 2 feet of soil in garden areas and replaces it with 2 feet of clean soil. Because EPA does not know where future gardens may be located, workers will remove 2 feet of soil from the entire yard at each property.

Based on the HHRA and comparisons to naturally occurring levels of lead and arsenic in East Chicago, EPA considers a cleanup level of 400 milligrams per kilogram of lead and 26 mg/kg of arsenic in soil to be protective. Therefore, EPA evaluated alternatives with methods that would lower soil contamination to these levels or lower.

History and background

The U.S Smelter and Lead Refinery Inc. was a primary lead smelter. Smelting operations generated two primary waste materials – blast-furnace slag and lead-containing dust emitted by the blast furnace stack. Blast-furnace slag was stockpiled south of the plant building and spread once a year over an adjoining 21-acre wetland. The lead-containing dust was originally trapped in bag filters. Lead particles have been found downwind of the plant, however, which suggests that all of the lead-containing dust was not contained by the bag filters. The facility was later used to recover lead from scrap metal and old automobile batteries.

In the 1980s, several state and federal actions were taken against the company. In September 1985, the Indiana State Board of Health found USS Lead in violation of state law because lead particles were found downwind of the plant.

Previous investigations

OUI has been sampled many times by different groups – EPA in 1985, Entact in 1999, EPA/IDEM in 2002, EPA RCRA in 2003 and EPA in 2006.

In 2003, EPA sampled soil in the residential area north of USS Lead and found high levels of lead contamination in

RAOs are general descriptions of cleanup goals. RAOs are established by considering the medium of concern (soil, in OU1), risk levels of contaminants of concern (lead and arsenic), how the contaminants can get to people and what people are exposed.

EPA has identified the following RAO for OU1:
Reduce to acceptable levels the risk for people from exposure to contaminants of concern in surface and subsurface soil through ingestion, direct contact, or inhalation.

Remedial action levels

RALs are long-term soil concentration levels used during the analysis and selection of cleanup options. The OU1 preliminary RALs comply with regulatory requirements and support the OU1 RAO. The RALs were calculated based on site-specific risks and hazards from the HHRA. The RALs listed in the table below address the RAO for soil and potential health risks associated with soil at OU1.

Analyte Group	Analyte Name	Units	OUI Soil RAL
Metals	Arsenic	mg/kg	26.4
	Lead	mg/kg	400 (Residential) 800 (Industrial)

some yards, with the highest lead levels being in the southern area, closer to the former smelter.

In 2004, EPA tasked management of USS Lead to the federal Superfund program for cleanup of the residential yards and the wetland.

In April 2006, EPA Superfund re-sampled 14 properties in the residential area. Analysis confirmed that at least 12 properties had lead contamination levels higher than 1,200 parts per million. That finding, combined with other studies, led to an emergency cleanup in 2008 targeting 15 properties. Thirteen of the 15 yards were cleaned up. An additional 16 properties with lead levels higher than 1,200 parts per million were cleaned up in 2011 based on the testing described below.

Between December 2009 and August 2010, EPA collected soil samples from a total of 88 properties, distributed nearly evenly over OU1 for uniform coverage of the area and to better understand the contamination. EPA sampled an average of three residential properties per block, collecting samples from front yards, back yards and drip zones. Drip zone samples were collected from soil beneath the gutters and downspouts of buildings to find out if airborne contamination had concentrated along drip lines of roofs. EPA also sampled the soil in gardens and play areas. Larger properties, such as parks and schools, were divided into quadrants

and each quadrant was sampled. These different sample areas within a property are referred to as "yards."

long-term effectiveness of in-place stabilization has not been proven.

All soil samples were analyzed for lead. Some were also analyzed for various combinations of other metals, including arsenic, and organic compounds to provide a better understanding of chemical concentrations in shallow soil at OUI.

Yards: The term "yard" means one study area unit. Typically, a study area consists of a front yard and a back yard of residential properties or any quadrant of a park, commercial property, easement or school. A typical property consists of two or more yards.

Based on the representative sampling that was done, EPA estimates that as many as 723 of the 1,271 properties (57%) are likely to require cleanup.

Four alternatives passed the initial screening process and were evaluated against seven criteria required by Superfund law (see box, Page 4). State and community acceptance are evaluated after EPA proposes a cleanup plan and holds a public comment period.

The recommended alternative provides the best balance of the nine criteria and meets the requirements of federal law. It also protects public health and the environment over the long term, complies with tribal, state and local regulations and is cost effective.

Here are summaries of the four remaining alternatives.

Alternative 1 – No action: EPA always includes this as a comparison point for other options. Under this option, EPA would do nothing to clean up the contaminated property, so there would be no effect on potential health risks. **Cost: \$0**

Alternative 3 – On-site soil cover and institutional controls. Contamination would be left in place and capped with a 12-inch-thick soil cover. A visible barrier, such as orange construction fencing or landscape fabric, would be placed over the contaminated soil and then covered with clean soil. The soil cover would consist of 6 inches of imported select borrow material topped with 6 inches of clean top soil. The cover would be placed directly on top of the existing yard and each yard would be restored to its pre-cleanup condition after the soil cover is put in place.

The soil cover would be inspected and repaired as necessary twice a year for the first five years, followed by an annual inspection for years six through 30. Annual repairs would include regrading portions of the cover, placing additional soil to maintain the 12-inch cover and seeding or sodding the yards as needed. Institutional controls, such as limiting gardening to raised beds, would be put in place so that users of the site would not be exposed to contaminants. Also, any subsurface work such as utility maintenance or foundation work must be done in accordance with EPA guidance to protect workers and residents. Sufficient coverage of contaminated soil must be maintained and placed on the yard to return the yard to its original surface. If in the future the yard had to be dug up again past two-feet deep, the marker material would indicate that contaminated soil still existed and additional precautions or steps would need to be taken. **Cost: \$ 18.2 million**

Alternative 4A - Excavation of soil exceeding RALs and off-site disposal, plus *ex-situ* treatment option. (EPA's Recommended Alternative) This involves

What are the "Constituents of Concern"?

EPA and IDEM have identified two contaminants at this site that pose the greatest risk to human health.

Lead: Lead was detected in surface and subsurface soil at concentrations up to 9,406 mg/kg. Lead is highly toxic and exposure to lead can cause a range of health effects from behavioral problems and learning disabilities, to seizures and death. Children 6 years old and younger are most at-risk because their bodies are growing quickly, and exposure to lead can cause developmental problems.

Arsenic: Arsenic was detected in surface and subsurface soil at concentrations up to 567 mg/kg. Exposure to arsenic can cause various health effects, such as irritation of the stomach and intestines, decreased production of red and white blood cells, skin changes, lung irritation, and increased risk of developing skin, lung, liver or lymphatic cancer.

Cleanup alternatives considered

EPA considered six alternatives for cleaning up OUI. The Agency checked each option against three broad criteria: protectiveness (both short-term and long-term), implementability (including technical and administrative feasibility) and relative cost (capital and operation and maintenance). Each alternative must also comply with appropriate laws and regulations.

This screening evaluation reduced the number of alternatives. EPA eliminated Alternative 2 (institutional controls) and Alternative 5 (in-place treatment by chemical stabilization) because they would not be effective. Alternative 2 does not reduce human health risk because the contaminated soil would remain in place. Alternative 5 was eliminated because the

removing up to two feet of contaminated soil and disposing of it in an off-site landfill. Some treatment using chemical stabilization might be needed after excavation to handle soil with the highest levels of lead contamination. Since no local stockpile area has been identified, the soil would be loaded directly into roll-off containers and taken to the landfill. If EPA identifies a stockpiling location that is acceptable to the community, then it will reconsider stockpiling.

If EPA finds contaminated soil at a depth greater than 24 inches below ground surface, a visual barrier, such as orange construction fencing or landscape fabric, would be put down before workers place the clean backfill soil. Institutional controls would be implemented to protect the barrier.

Excavated soil would be replaced with clean soil, including 6 inches of topsoil, to maintain the original grade. Each yard would be restored to its pre-cleanup condition. Once the properties are sodded or seeded, EPA would water, fertilize and cut the grass for 30 days. After that, property owners would be responsible for the maintenance of their own yards. If any highly contaminated soil is left in place deeper than 24 inches below the ground, EPA would review the cleanup every five years. **Cost: \$ 28.9 million**

Alternative 4B - Excavation to native sand, off-site disposal and *ex-situ* treatment. Similar to 4A except

this option includes removing all soil down to native sand in the affected yards. Excavated soil would be disposed at an approved landfill and, as necessary, soil with the highest concentrations of lead would be treated using chemical stabilization. Based on sampling results, it is estimated that native sand would be found at no more than 24 inches below ground. EPA found native sand at various levels, some as deep as 24 inches. Sample results showed the native sand beneath the fill soils at the site is both clean and by sight very easily distinguished from soil and fill material. The cost estimate assumes that all soil above the native sand would be dug up and disposed of offsite. The same stockpiling issue exists in 4B as in 4A.

Excavated soil would be replaced with clean soil, including 6 inches of top soil, to maintain the original grade. Each yard would be restored to its pre-cleanup condition. Once the properties are sodded or seeded, EPA would water, fertilize and cut the grass for 30 days. After that, property owners would be responsible for the maintenance of their own yards.

This alternative would result in the removal of all affected soil (since excavations would go down to the native sand, and the native sand layer is clean). There would be no need for institutional controls or for five-year reviews. **Cost: \$43.8 million**

Evaluation criteria

EPA uses nine criteria to compare cleanup options:

1. **Overall protection of human health and the environment** addresses whether an alternative adequately protects both human health and the environment. The cleanup plan can meet this criterion by reducing or eliminating contaminants or by reducing exposures to them.
2. **Compliance with applicable or relevant and appropriate requirements** assures that each project complies with federal, tribal and state laws and regulations.
3. **Long-term effectiveness and permanence** evaluates how well an option will work in the long term, including how safely remaining contaminants can be managed.
4. **Reduction of toxicity, mobility or volume through treatment** addresses how well the option reduces the toxicity (the chemical makeup of a contaminant that makes it dangerous), movement and amount of contaminants.
5. **Short-term effectiveness** is how quickly the project achieves protection, as well as its potential to be harmful to human health and the environment while it's being constructed.
6. **Implementability** evaluates the technical feasibility of the cleanup plan, and whether materials and services are available to carry out the project.
7. **Cost** includes estimated capital or startup costs, such as the cost of buildings, treatment systems and monitoring wells. The criterion also considers costs to implement the plan, and operate and maintain it over time. Examples include laboratory analysis and personnel to operate equipment.
8. **State acceptance** is whether the state environmental agency, in this case the Indiana Department of Environmental Management, agrees or disagrees with EPA's recommended alternative.
9. **Community acceptance** evaluates how well the community near the site accepts the option. EPA evaluates community acceptance after it receives and evaluates public comments on its recommended alternative.

**USS LEAD SUPERFUND SITE
PUBLIC COMMENT SHEET**

Detach this page, fold on dashed lines, staple, stamp, and mail

Name _____
Address _____
City _____
State _____ Zip _____

FIRST CLASS

Michael Berkoff
EPA Remedial Project Manager
U.S. EPA
77 W. Jackson Blvd. (Mail Code : SRF-6J)
Chicago, IL 60604-3507

Evaluation of alternatives

EPA compared each alternative to nine criteria (*see chart, Page 6*). EPA concluded the “no-action” alternative would not protect people or the environment and it was eliminated from consideration.

Alternatives 3, 4A and 4B would protect human health and the environment. They address potential exposure to contaminants by covering or removing the contaminated soil. Alternative 4B would eliminate potential exposure because all of the contaminated soil would be removed down to native sand. Alternative 3 would leave contaminated soil behind at all properties under a soil cover. Additionally, its protectiveness would completely depend on the long-term maintenance of the soil cover. Alternative 4A would leave contaminated soil in place at the few properties where contamination exists below 2 feet down. Where contaminated soil remains at depth, EPA would rely on institutional controls (such as prohibiting digging) to prevent exposure.

Alternatives 3, 4A and 4B would achieve the regulatory requirements that are either applicable or relevant and appropriate.

All three remaining alternatives are proven technologies that meet the requirements for long-term effectiveness and permanence. Compared to Alternative 3, Alternatives 4A and 4B provide an additional level of protectiveness because waste will be removed and disposed off-site. Alternative 4B provides the greatest degree of long-term effectiveness and permanence because all highly contaminated soil would be removed.

Alternatives 4A and 4B would reduce the toxicity and mobility of soil with high lead levels through ex-situ treatment prior to disposal, but would not reduce the volume of contaminated materials. Since no treatment is applied under Alternative 3, this alternative would not reduce the toxicity, mobility or volume of contaminated material.

Each of the alternatives would have short-term effects, including increased potential for exposure to lead-contaminated soil and construction-related risks.

Workers could be exposed to dust and contaminated soil during excavation. During construction, there could be increased traffic and noise from construction vehicles, increased wear on local roads, potential for vehicle accidents and other risks associated with construction work. A health and safety plan will help prevent some of these problems, as will keeping excavation areas properly wetted to reduce dust, planning truck routes to minimize

disturbances to the surrounding community, and other best management practices.

Alternative 3 requires the least disturbance of lead-contaminated soil and shortest construction time. Compared to Alternative 3, Alternatives 4A and 4B would have greater short-term effects because of the amount of materials moved to and from the site, as well as the increased duration of construction.

Alternative 3 would take an estimated 18 months to complete, while 4A would probably take roughly 26 months, and 4B about 40 months. The longer a project takes, the greater the potential for problems from truck traffic and vehicle accidents, construction-related and exposure risks to workers, and additional qualitative impacts to the local community, such as noise and dust.

All of the alternatives can be readily implemented and have been used successfully for other environmental cleanup projects. Alternative 3 is more difficult to implement than 4A and 4B, since it requires more detailed design plans to maintain safe grading for each yard. Raising the grade of affected yards by 1 foot under Alternative 3 would pose technical and administrative challenges.

IDEM supports EPA’s recommended alternative, 4A. Community acceptance will be evaluated after the public comment period (*see box, Page 1*).

EPA’s recommended alternative

EPA recommends Alternative 4A because it has the best balance of the evaluation criteria. Once implemented it would:

- Immediately prevent exposure to contaminated soil that poses a risk to residents.
- Prevent future exposure to residents with minimal property use restrictions.
- Allow current land uses to continue.

Alternative 4A would achieve these goals within a reasonable time and at a lower cost. It requires minimal efforts to maintain long-term protectiveness. It meets the threshold criteria, offers a high degree of long-term effectiveness and permanence, and represents the best balance of tradeoffs among the other alternatives with respect to the balancing and modifying criteria.

Based on the information available at this time, EPA and IDEM agree that Alternative 4A will protect human health and the environment, comply with regulatory criteria, be cost-effective, and use permanent solutions and alternative treatment technologies to the maximum extent practicable.

Next steps

Before EPA makes its decision final, the Agency will consult with IDEM and review public comments.

EPA encourages you to review and comment on the proposed cleanup plan. More detail on the cleanup options is available in the official documents on file at the information repositories at the East Chicago Public Library 2401 E. Columbus Ave. and the Robert A. Pastrick Library Branch, 1008 W. Chicago Ave. or EPA's website at www.epa.gov/region5/cleanup/usslead.

EPA will respond to the comments in a document called a "responsiveness summary," a part of the record of decision that describes the final cleanup plan.

The Agency will announce the selected cleanup plan in a local newspaper and will place a copy in the information repositories and post it on EPA's website.

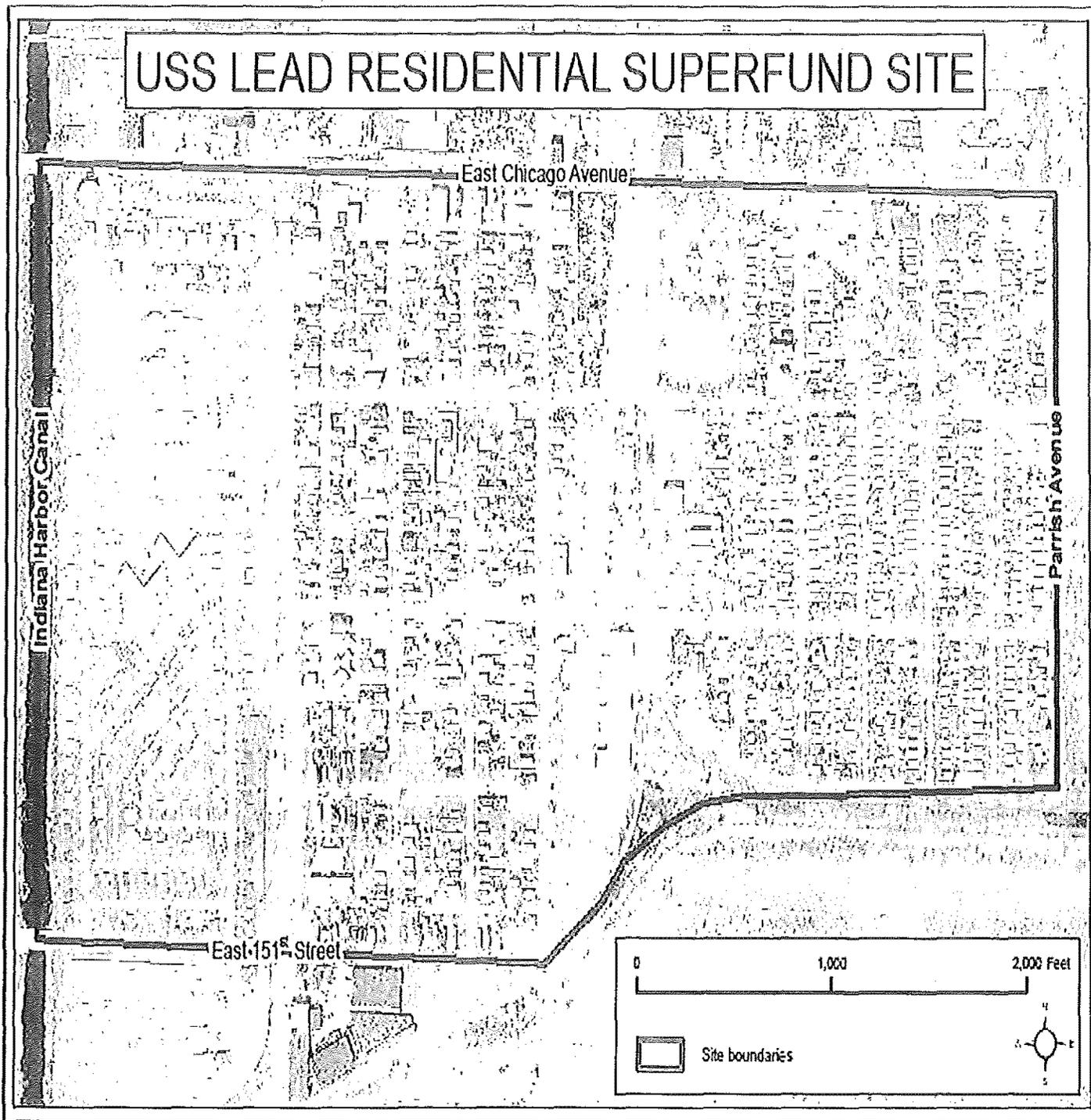
Chart comparing cleanup options with the nine Superfund remedy selection criteria

Evaluation Criterion	Alternative 1	Alternative 3	Alternative 4A*	Alternative 4B
Overall Protection of Human Health and the Environment	○	●	●	●
Compliance with ARARs	○	●	●	●
Long-term Effectiveness and Permanence	○	●	●	●
Reduction of Toxicity, Mobility, or Volume through Treatment	○	○	⊙	⊙
Short-term Effectiveness	N/A**	⊙	⊙	⊙
Implementability	N/A**	⊙	●	●
Alternative Cost (\$ millions)	\$0	\$18.2	\$28.9	\$43.8
State Acceptance	The State of Indiana supports EPA's preferred Alternative 4A.			
Community Acceptance	Will be evaluated after the public comment period			

● Fully meets criterion ⊙ Partially meets criterion ○ Does not meet criterion

* EPA's preferred alternative

** N/A: not applicable, since no remedy is being implemented in the No-Action Alternative



Map showing the boundaries of Operating Unit 1.

**EPA Proposes
Soil Cleanup Plan
for**

**USS Lead Site
East Chicago, Indiana
(details inside)**

Attend an information session and public meeting to find out more about the recommended cleanup plan and to provide your comments to EPA.

**Wednesday, July 25, 2012, 6:00 p.m.
East Chicago Public Library
2401 E. Columbus Ave.
East Chicago**

 *Reproduced on Recycled Paper*

EPA Proposes Cleanup Plan for USS Lead Site

United States
Environmental Protection
Agency
Region 5
Superfund Division (SI-7J)
77 W. Jackson Blvd.
Chicago, IL 60604-3590



United States of America, State of Indiana,
v.
Atlantic Richfield Company and E.I. Du Pont De Nemours and Company
No. 2:14-cv-00312

Memorandum in Opposition to Applicants' Motion to Intervene

Attachment C-16 to Janet Pope Declaration:
July 15, 2012 Invitation for Public Comment on the Cleanup Plan for the USS
Lead Superfund Site

Invoice Number: 118211
Order Number: 330275
Client Name: Tetra Tech EM Inc.
Ad: USS Lead Public Comment (Spanish)
Publication: Gary Post-Tribune
Run dates: Jul 15 2012, Jul 15 2012

THE DAVID GROUP



**EPA is Accepting PUBLIC COMMENTS
on a cleanup plan for the
USS Lead Superfund Site
in East Chicago, Ind.**

**Public Comment Period: July 12 — August 11, 2012
Public Meeting: Wed., July 25, 2012, 6:00 p.m.**

The U.S. Environmental Protection Agency plans to clean up the USS Lead residential area in East Chicago. The purpose of the cleanup is to remove lead contamination from yards in the residential area.

PUBLIC COMMENTS on the cleanup alternatives may be submitted in writing between July 12 and Aug. 11, 2012 to: Michael Berkoff, Remedial Project Manager, EPA (SRF-6J), 77 W. Jackson Blvd., Chicago, IL 60604, or by fax at 312-353-1263 or via the Internet at www.epa.gov/region5/cleanup/publiccomment/usslead-pubcomment.htm.

Also, EPA will host a **PUBLIC MEETING** from 6 p.m. – 7:30 p.m., **Wednesday, July 25, 2012**, East Chicago Public Library, 2401 E. Columbus Ave., East Chicago. EPA's project manager will be available to answer questions about the project and written or oral comments will be accepted.

EPA's recommendations include:
• Remove and dispose of lead- and arsenic-contaminated soil.
• Restore each yard with clean soil.

Copies of the site-related documents are available for review at the East Chicago Public Library, 2401 E. Columbus Ave., the Robert A. Pastrick Library Branch, 1008 W. Chicago Ave., East Chicago, and at EPA's Records Center, 77 W. Jackson Blvd. (seventh floor), Chicago; and at this web address: www.epa.gov/region5/cleanup/usslead.



**La EPA está aceptando C
sobre un plan de
Sitio de Superfi
en East Ci
Periodo Publico de Comentar
Reunión Publica: Miércoles**

La Agencia de Protección Ambiental (EPA) planea limpiar una zona residencial donde está el sitio USS Lead. El propósito de la limpieza es retirar la contaminación de plomo de los patios en el área residencial.

Los COMENTARIOS PÚBLICOS sobre el plan de limpieza pueden enviarse por escrito entre el 12 de julio y el 11 de agosto de 2012 a: Michael Berkoff, Gerente del Proyecto de Remediación, EPA (SRF-6J), 77 W. Jackson Blvd., Chicago, IL 60604, o por fax al 312-353-1263, o a través de Internet en www.epa.gov/region5/cleanup/publiccomment/usslead-pubcomment.htm.

Además, la EPA tendrá una **REUNIÓN PÚBLICA** el miércoles 25 de julio del 2012, en la biblioteca pública de East Chicago, 2401 E. Columbus Ave., East Chicago. El gerente del proyecto de la EPA estará disponible para contestar preguntas sobre el proyecto y los comentarios escritos u orales serán aceptados.

Las recomendaciones de la EPA incluyen:
• El retiro y disposición final de suelo con plomo y arsénico.
• Restaurar cada patio o jardín con suelo limpio.

Copias de documentos acerca del sitio de limpieza están disponibles para revisión en la biblioteca pública de East Chicago, Robert A. Pastrick, 1008 W. Chicago Ave., East Chicago, y en el Centro de Registros de la EPA, 77 W. Jackson Blvd. (séptimo piso), Chicago; y en esta dirección web: www.epa.gov/region5/cleanup/usslead.

United States of America, State of Indiana,
v.
Atlantic Richfield Company and E.I. Du Pont De Nemours and Company
No. 2:14-cv-00312

Memorandum in Opposition to Applicants' Motion to Intervene

Attachment C-17 to Janet Pope Declaration:

November 2014 Fact Sheet: "Agreement Helps Start Project to Clean Up Contaminated Soil"



Agreement Helps Start Project to Clean Up Contaminated Soil

U.S. Smelter and Lead Refinery Superfund Site
 East Chicago, Indiana

November 2014

Attend a meeting

EPA will be holding two informational meetings in the neighborhood and you are invited to attend:

Tuesday, Nov. 18, 6 p.m.

Carrie Gosch Elementary School
 455 E. 148th St.
 East Chicago

Wednesday, Nov. 19, 6 p.m.

Riley Park Recreation Center
 1005 E. Chicago Ave.
 East Chicago

Contact information

Janet Pope

Community Involvement Coordinator
 312-353-0628
pope.janet@epa.gov

Michael Berkoff

Remedial Project Manager
 312-353-8983
berkoff.michael@epa.gov

You may call the EPA toll-free at 800-621-8431, 8:30 a.m. – 4:30 p.m., weekdays.

Access agreements

EPA may contact you and ask you to sign a document called an access agreement. The access agreement allows EPA to come onto your property to collect soil samples.

A project to clean up contaminated soil in parts of East Chicago's Calumet neighborhood will begin this month. The U.S. Environmental Protection Agency and the state of Indiana recently reached an agreement with Atlantic Richfield Co. and E.I. Du Pont De Nemours and Co. for the two companies to fund the cleanup project.

Soil in the Calumet neighborhood, which is part of the USS Lead Superfund site, contains high levels of lead and arsenic. The areas EPA will clean up under this agreement are Zone 1 and Zone 3 (*see map, Page 2*).

Upcoming work

This month EPA begins planning and design work in Zone 1. Workers will be collecting soil samples at properties in the public housing area that were not previously tested. When sampling results are confirmed, EPA will identify which yards need to be cleaned up. Work to remove contaminated soil in Zone 1 yards is expected to begin in the spring of 2015.

Before work begins, EPA officials will meet with each property owner to discuss details of the cleanup on their property. In general, workers will dig up and remove contaminated soil up to two feet deep and replace it with clean soil, including six inches of topsoil. Then they will put seed or sod on the clean soil, restoring each yard to the condition it was in before work began – all at no cost to the homeowner. ARC and DuPont will transport the contaminated soil to a licensed landfill for proper disposal.

At the same time, EPA will start collecting soil samples from yards in Zone 3. Zone 2 will be cleaned up under a separate agreement.

Site location and history

The USS Lead site is made up of two areas called "operable units." Operable Unit 1, or OU1, is a 322-acre residential area bounded by East Chicago Avenue on the north, East 151st Street on the south, the Indiana Harbor Canal on the west and Parrish Avenue on the east. OU2 is the former USS Lead facility on 151st Street. EPA often divides sites into OUs based on how the land was used; in this case residential versus industrial use.

EPA started studying the site in June 2009, collecting soil samples from 88 of 1,271 properties to identify the type and amount of contamination. Another phase of the study described the cleanup options. The study was finalized in 2012.

On Nov. 30, 2012, EPA issued its final cleanup plan for OU1, the residential area. The plan includes removal and off-site disposal of soil with lead concentrations exceeding 400 milligrams per kilogram, or mg/kg, and arsenic concentrations exceeding 26 mg/kg, to two feet deep. Based on EPA's study, approximately 53 percent of the properties will need to be cleaned up. That would mean roughly 723 of 1,271 properties.



Map showing OUI, the residential area of the site. An agreement has been reached on cleanup work in Zones 1 and 3. Work in Zone 2 will be done under a separate agreement.

EPA Reaches an Agreement for Cleanup Activities

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United States
Environmental Protection
Agency
Region 5
Superfund Division (SI-7J)
77 W. Jackson Blvd.
Chicago, IL 60604-3590



United States of America, State of Indiana,
v.
Atlantic Richfield Company and E.I. Du Pont De Nemours and Company
No. 2:14-cv-00312

Memorandum in Opposition to Applicants' Motion to Intervene

Attachment C-18 to Janet Pope Declaration:
Information Packet including Access Agreement, Fact Sheets, Property Value Information,
and Fact Sheet about Lead Exposure

United States
Environmental Protection Agency
Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604

USDC IN RE case 2:14-cv-00312-PPS-PRC document 24-4 filed 12/16/16 page 105 of 143

SI-D Pope

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Penalty for Private Use, \$300

BUSINESS REPLY MAIL

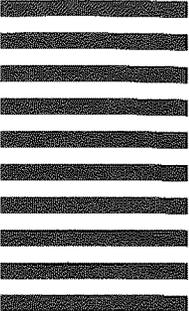
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UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 5
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UNITED STATES





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

**CONSENT FOR ACCESS TO PROPERTY
FOR SAMPLING AND TO TAKE RESPONSE ACTION**

Name: _____ Daytime Phone Number: _____
(Print)
Evening Phone Number: _____

Owner _____
Address(es) of Property(ies): _____

I consent to officers, employees, contractors and authorized representatives of U.S. Environmental Protection Agency entering and having continued access to the property described above (the Property) to perform the following response actions: (1) collecting soil samples; (2) excavating Property soils; (3) backfilling the excavated area(s) of the Property with clean soil and/or backfill; and (4) restoring to their pre-excitation condition grass, other vegetation or structures altered during sampling or excavation activities.

I realize that these actions taken by EPA are undertaken pursuant to its response and enforcement responsibilities under the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended, 42 U.S.C. Section 9601 et seq. These activities are necessary to identify and clean up contaminated soils.

I give this written permission voluntarily on behalf of myself and all other co-owners of the Property, with knowledge of my right to refuse and without threats or promises of any kind. I understand that EPA or authorized representatives of EPA will contact me before the removal of soil begins to discuss the steps involved in the excavation and removal program, and to review all measures EPA will take to restore my Property.

This document can only be signed by the property owner.

Date
 I grant access to my property for sampling and removal. I grant access to my property for sampling only. I do not grant access to my property.



AGENCIA DE LA PROTECCIÓN DEL MEDIO AMBIENTE
DE LOS ESTADOS UNIDOS (EPA)
REGIÓN 5
77 OESTE JACKSON BOULEVARD
CHICAGO, IL 60604-3590

**CONSENTIMIENTO PARA EL ACCESO A LA PROPIEDAD
PARA LA TOMA DE MUESTRAS Y A PARA TOMAR ACCIÓN RESPONDIDA**

Nombre: _____
(Imprimir)

Número de teléfono de día: _____

Número de teléfono de noche: _____

Propietario

Dirección de la Propiedad (es): _____

Yo doy consentimiento a funcionarios, empleados, contratistas y representantes autorizados de la Agencia de Protección Ambiental (EPA) de Estados Unidos a la entrada y acceso seguido a la propiedad aquí descrita anteriormente (la propiedad) para realizar las siguientes acciones: (1) la adquisición de muestras de suelo; (2) excavación de suelos de la propiedad; (3) llenar las áreas excavadas de la propiedad con suelo limpio; y restaurar (4) en su condición de pre-excavation pasto, otra vegetación o estructuras alteradas durante las actividades de toma de muestras o de excavación.

Yo me doy cuenta de que estas acciones adoptadas por la EPA se realizan con arreglo a lo dispuesto en su respuestas y las Responsabilidades de la Aplicación en el Medio Ambiente global, y la Indemnización y la ley de Responsabilidad de 1980, en su forma enmendada, 42 U.S.C. sección 9601 y et seq. Estas actividades son necesarios para identificar y limpiar suelos contaminados.

Yo doy permiso por escrito y voluntariamente, en nombre mio y a todos los demás copropietarios de la propiedad, con conocimiento de mi derecho a rechazar y sin amenazas o promesas de ningún tipo. Entiendo que EPA o autorizados representantes de la EPA se pondrán en contacto con migo antes de que la eliminación de suelo comience y para discutir los pasos necesarios en el programa de excavación y de eliminación, y para revisar todas las medidas que el EPA tomará para restaurar mi propiedad.

Este documento sólo puede ser firmado por el dueño de la propiedad.

Fecha

Conceder acceso a mi propiedad para la toma de muestras y excavacion

Conceder acceso a mi propiedad solo paramuestras

No concedo acceso muestreo

Firma

Firma

Firma



Agreement Helps Start Project to Clean Up Contaminated Soil

U.S. Smelter and Lead Refinery Superfund Site
East Chicago, Indiana

November 2014

Attend a meeting

EPA will be holding two informational meetings in the neighborhood and you are invited to attend:

Tuesday, Nov. 18, 6 p.m.
Carrie Gosch Elementary School
455 E. 148th St.
East Chicago

Wednesday, Nov. 19, 6 p.m.
Riley Park Recreation Center
1005 E. Chicago Ave.
East Chicago

Contact information

Janet Pope
Community Involvement Coordinator
312-353-0628
pope.janet@epa.gov

Michael Berkoff
Remedial Project Manager
312-353-8983
berkoff.michael@epa.gov

You may call the EPA toll-free at 800-621-8431, 8:30 a.m. – 4:30 p.m., weekdays.

Access agreements

EPA may contact you and ask you to sign a document called an access agreement. The access agreement allows EPA to come onto your property to collect soil samples.

A project to clean up contaminated soil in parts of East Chicago's Calumet neighborhood will begin this month. The U.S. Environmental Protection Agency and the state of Indiana recently reached an agreement with Atlantic Richfield Co. and E.I. Du Pont De Nemours and Co. for the two companies to fund the cleanup project.

Soil in the Calumet neighborhood, which is part of the USS Lead Superfund site, contains high levels of lead and arsenic. The areas EPA will clean up under this agreement are Zone 1 and Zone 3 (*see map, Page 2*).

Upcoming work

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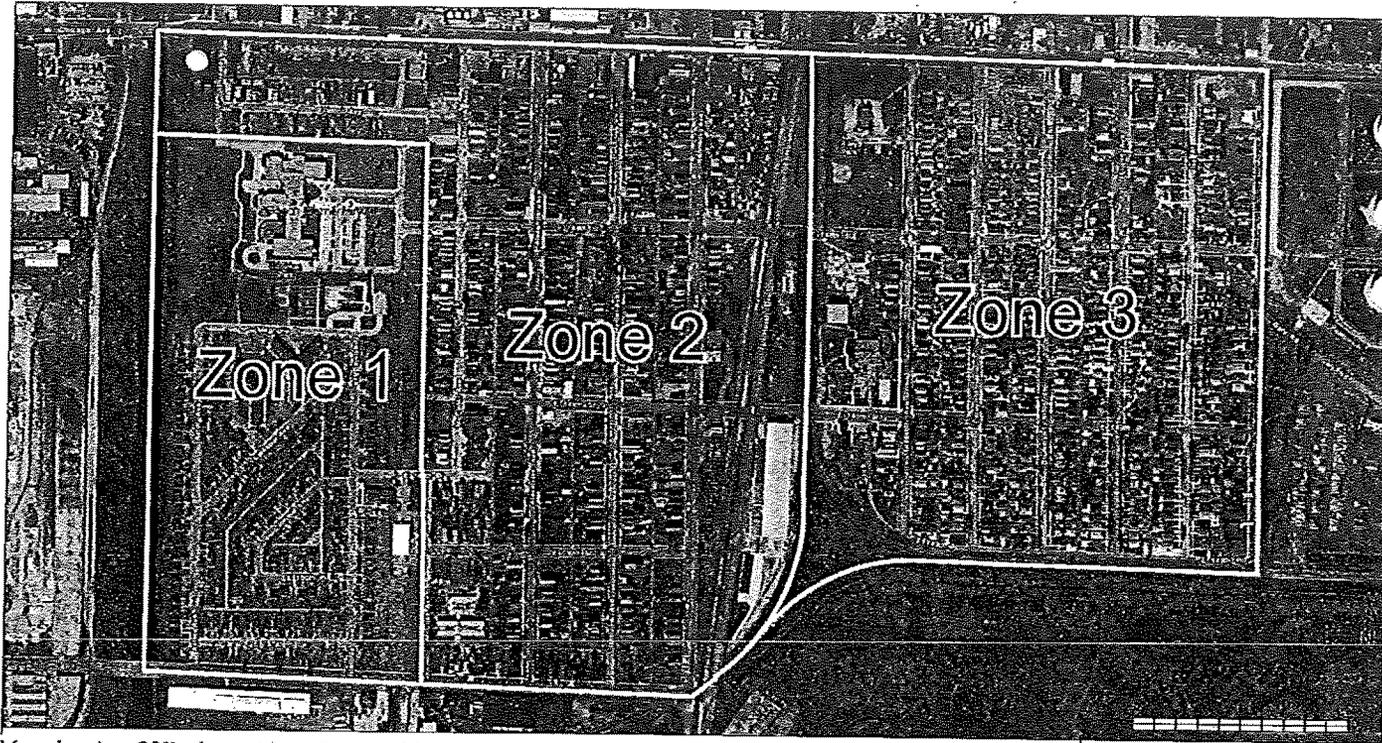
At the same time, EPA will start collecting soil samples from yards in Zone 3. Zone 2 will be cleaned up under a separate agreement.

Site location and history

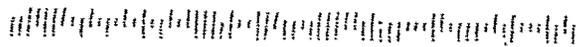
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07/28/2017



Map showing OUI, the residential area of the site. An agreement has been reached on cleanup work in Zones 1 and 3. Work in Zone 2 will be done under a separate agreement.



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EPA Reaches an Agreement for Cleanup Activities

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United States
Environmental Protection
Agency

Office of Solid Waste and
Emergency Response
(5204G)

EPA 540-F-98-001
OSWER 9378.0-09AFS
September 2000
www.epa.gov/superfund



Superfund Today

FOCUS ON PROPERTY ISSUES



Property Owner
Rights



Property
Values



Buying & Selling
Property



How Can a Superfund Site Affect My Property? Answers to Frequently Asked Questions

If you are like most people faced with the possibility or certainty of a hazardous waste site in your community, you probably have many questions about what is happening and how you will be affected. Concerns about your property may be an issue. How will my property values be affected? Who pays for cleanup? Who can help me? This fact sheet answers many of these questions; however, the information applies only to sites under the U.S. Environmental Protection Agency's (EPA) Superfund program.

What Is Superfund?

EPA's mission is to protect human health and to safeguard the natural environment. In support of this mission, the Superfund program responds to threats posed by uncontrolled releases of hazardous substances into the air, water, and soil. Releases that pose immediate threats are responded to first. EPA then determines if there is a need for long-term cleanup of hazardous wastes. Sites that require a long-term cleanup are added to Superfund's National Priorities List (NPL). When a site is on the NPL, it undergoes a comprehensive evaluation to determine the nature and extent of contamination, an estimation of current and future risks, an analysis of cleanup alternatives, and the design and construction of the selected cleanup plan. EPA ensures that sites are cleaned up to a level that protects people who live, work, or play on or around the site, including community members who may be at greater risk, like the elderly and children.

While the Superfund program focuses on protecting a community's health and surroundings, EPA understands that cleanup activities may directly affect individual properties. Within the limits of the Superfund law, EPA works with the affected community to find a cleanup solution that is safe, effective, and minimally disruptive. EPA recognizes the importance of working closely with affected residents to provide accurate information about the site and respond to your concerns. EPA is always willing to answer any of your questions and invites your feedback.

The following pages provide the answers to questions most commonly asked about the effects of hazardous waste sites on people's property.

The questions are divided into four areas: property owner rights; property values; buying and selling

Property Owner Rights



If you are a property owner in a community near a Superfund site, you may be concerned about the potential effects the hazardous waste may have on your property and your daily routine. EPA assists neighborhoods by informing all concerned citizens about cleanup activities on or around a site, and by giving community members opportunities to voice their opinions and concerns. The following questions and answers provide information for property owners on private property rights, protection from liability, and available EPA assistance.

Q My property is located near a Superfund site. How can I find out if EPA has investigated pollution problems on my property?

A EPA is responsible for keeping the community informed about site investigations and cleanup activities on or around the site. If a sampling program is planned for your area, EPA will notify you through a newspaper ad, or a fact sheet, or in person. EPA sets up an information repository for each Superfund site, so interested community members may review all sampling results and other information known about a particular site. Information repositories are usually kept at a local library or government office. If the federal EPA program is not involved in a site in your area, your state or local environmental and health agencies may have information on pollution problems that may be affecting your property. Many, but not all, states have laws—called *disclosure* laws—that require owners to give information on known or possible pollution problems on or near their property. Also, local lending institutions or real estate agencies may have information on environmental investigations of your property.

Q My property is located near a Superfund site. Will EPA take samples on my property upon my request?

A Living near a Superfund site does not necessarily mean that residential property is contaminated. When EPA first discovers a Superfund site, preliminary tests may be taken to determine if additional sampling is needed, including potential sampling of residential property. If EPA suspects that contamination from a Superfund site may be present on residential property, EPA may request permission from property owners to take samples. EPA will work with individual property owners to determine if there is a need to sample the property. Likewise, if property owners suspect contamination from a Superfund site is on their property, they should contact their regional EPA office (see contact list) or their state or local environmental agency. To report any immediate hazardous waste spill or problem, please contact the National Response Center at 1-800-424-8802.

Q Will EPA release specific addresses at which samples have been taken?

A EPA tries to respect individual's privacy concerns and does not release specific property owner's names to the general public. However, reports with address information and all other sampling data are made part of the public record. EPA will send letters with the sample results only to those whose property was sampled.

Q Can I refuse or limit EPA access to my property? If EPA uses my property for sampling or well installation, will I be paid?

A Property owners can refuse to allow EPA onto their property. However, the Superfund law does give EPA the authority to conduct sampling activities at residential properties if there is a reasonable basis to believe that a threat to human health and the environment exists. EPA will work to accommodate property owners' schedules and to conduct investigative sampling activities with as

Q If my loan is denied because of concerns about contamination, can EPA call my banker or appraiser?

A EPA does not become involved in individual real estate transactions; however, agency representatives can conduct presentations or provide information about site cleanup plans for the public, including the real estate and lending/financial community.

Q Do I have to disclose the contamination on my property to potential buyers?

A Some states have disclosure laws that require owners to report pollution problems to buyers when they sell a property. Contact a real estate representative, state and/or local government agencies, or an attorney; they should be able to quickly tell you if your state has such a law or if there is a deed restriction on your property.

Q Can a homeowner perform a cleanup to ensure that he or she will be able to sell their property?

A Yes, a homeowner can perform a cleanup, but it is not very common, for two reasons. First, in order for a homeowner to perform a cleanup, EPA must certify that the owner can meet national health and safety standards. Second, once the owner takes responsibility for a cleanup, it makes him/her liable for any future pollution problems (release or threat of release of contaminants) as a result of the cleanup—forever.

Liability



EPA understands that personal liability is also an area of concern when investigating cleanup sites adjacent to private property. This is especially important for new property owners and prospective purchasers, as well as for the lending institutions that will be responsible for

Q Can I be held responsible for pollution on my residential property?

A EPA will not take actions against a residential home owner, unless the owner polluted the site or made existing pollution problems worse (a release or threat of release of hazardous substances) and forced a cleanup action by EPA at the site.

Q My property sits above contaminated groundwater. Am I liable?

A You can be held liable for contaminated groundwater if you are responsible for the initial pollution, or if you have done anything to increase the amount or spread of contamination. EPA will assist property owners if someone tries to make them pay for groundwater contamination for which they are not responsible. EPA may exercise its enforcement discretion and enter into a *de minimis* settlement with an owner of property that has contaminated groundwater when that owner has been sued or threatened with a contribution suit. The property owner must also meet the conditions of the "Policy Toward Owners of Property Containing Contaminated Aquifers" (May 24, 1995 PB96109145). This document is available for free on OSRE's Internet site <http://www.epa.gov/OSRE/950524-1.html> or by contacting the Superfund Document Center at (703) 603-9232.

Q As a potential purchaser of a piece of property that is on or near a Superfund site, what would my responsibility be for contamination that existed at the time of purchase?

A Your responsibility would be minimal if any. EPA will work with the individual and can enter into an agreement with potential purchasers not to sue the purchaser for contamination that existed at the time of purchase.

Q What can I do if my property value goes down because of a Superfund site?

A Property owners may want to consult with local government officials about the possibility of property tax abatements or adjustments, based on impacts on property values from pollution concerns; however, this is beyond the authority of the federal government. In some cases, property owners have consulted an attorney about the possibility of recovering the lost property value from the potentially responsible party or parties (the polluters). Based on past cleanups, EPA believes that a Superfund cleanup has an overall beneficial impact on the community, including rebounding property values.

Q My property sits above contaminated groundwater. How will this affect my property value?

A EPA cannot predict how contaminated groundwater will affect individual property values. A good resource for property value information is a local government agency—such as your local taxing authority or planning commission—or a local real estate professional. They are more experienced in appraising property values and determining the effect of contamination on property values.

Q Will there be an immediate appraisal of my property to adjust my tax status?

A Local and state tax authorities can best answer this question, because they are responsible for all appraisal activities in your community. It is beyond EPA's authority to appraise property or adjust tax status, and EPA does not request tax authorities to re-assess properties. Property owners may want to consult with local government officials about the possibility of property tax abatements or adjustments, based on impacts on property values from pollution concerns; however, this is beyond the authority of the federal government.

Q Do property values rebound? How long will it take?

A Previous research indicates that contaminated sites, including Superfund and other types of hazardous waste sites, are likely to affect nearby residential property values. Studies estimate property price reductions, due to nearby hazardous waste sites, range from two to eight percent of the value of the property. One study of several Superfund sites in Houston, Texas found that property values rebounded fairly quickly following completion of cleanup activities. Property values are most appropriately discussed with local authorities knowledgeable about the local economy and other local conditions that may influence property values.

Buying & Selling Property



When buying or selling property, people usually have questions about neighborhood property values; how changes in property value impact mortgages, taxes, and resale; how property owners can increase their property value; and what information a property owner must tell a potential purchaser. This section provides information on what environmental information either you or EPA needs to disclose about a specific site, how EPA can support you through the transfer of property, and actions you may choose to take to increase the value of your property.

Q What information can EPA provide to potential buyers of property located near a Superfund site?

A EPA makes a wide variety of information available to potential buyers, including background information on the Superfund program, its activities and responsibilities, and opportunities for public participation. Site-specific information can

possible. EPA cannot pay property owners for taking samples from their property. To the extent possible, EPA tries not to disturb the property. In the event that property is disturbed during sampling or cleanup (e.g., damaged grass, back hoeing of soil during cleanup, etc.), EPA will restore the property to its original condition to the extent possible.

Q Can EPA move me from my property? How long can they keep me away from my property?

A While it rarely happens, EPA can move residents as part of a cleanup action to protect human health and the environment. In the past, EPA has relocated residents because either an immediate risk existed that could not be minimized without moving people, a site cleanup was difficult or impossible because contamination was very near or under homes, houses were contaminated and EPA could not decontaminate them, or EPA personnel were safeguarding the health of residents during the cleanup action. Relocation may be temporary or permanent, depending on EPA's ability to clean property to a condition where the contaminant(s) no longer threaten human health or the environment.

Q Can EPA take part or all of my property? Will I be paid if EPA does take my property?

A EPA makes every attempt to clean up sites with minimum inconvenience to property owners, and property is only acquired or taken from owners when necessary to protect citizens' health or environment. EPA has acquired all or part of a property in situations where it was necessary to address a serious health problem or a cleanup could not proceed without that property. In cases like these, EPA will provide an explanation to the property owner for this action. By law, EPA must pay the property owner fair market value for any land acquired.

Property Values



Property values can be affected by a number of environmental factors: perceived health risks; impacts on safe drinking water; air pollution; odor; construction activity; and noise. Factors that may reduce the impact on property values include distance from the site and the presence of a geographic buffer, such as a hill, railroad, river, forest, or divided highway. The following questions and answers provide more information on the effects of Superfund sites on property values.

Q What is happening to property values in my neighborhood?

A EPA suggests you consult a professional in your community who can give you a more accurate and current answer. Real estate agents, banks and other lenders, appraisers, and public and private assessors should be able to answer this question for you. Local government agencies—such as your taxing authority or planning commission—may also be able to give you information on property values.

Q My property values have gone down as a result of being on or near a Superfund site. Can EPA pay me for the property value I have lost?

A EPA is very concerned about potential adverse effects on property value that may result when a Superfund site exists near a community. However, the Superfund law does not authorize EPA to compensate individual homeowners for losses of property value or other potential damages associated with designating an area as a Superfund site.

Q Is a bank or other lender liable for contamination if it lends money (or has lent money) to owners or developers of contaminated property?

A It is EPA's policy not to pursue cleanup cost repayment from lenders who merely provide money to an owner or developer of a contaminated property, provided that lenders do not participate in daily management. If it meets the requirements of CERCLA's "secured creditor exemption," a bank or other lender that loans money to owners or developers of contaminated property will not be liable as an owner or operator of a Superfund facility. In general, the lender should avoid participating in the daily management of the facility. The secured creditor exemption describes various activities that lenders can undertake without losing their protection from owner/operator liability. For example, lenders can investigate a facility, require another person to clean up the facility, and provide financial advice to a borrower.



If you live on or near a Superfund site, all site-specific information is available to you at the local Superfund public information repository. General information is also available through your EPA Region's web site, accessible from EPA's home page (www.epa.gov). You can speak with someone directly through the toll-free Superfund/RCRA Hotline (1-800-424-9346) or one of the following regional phone numbers (*800 and 888 numbers only work within the Region except Region 4):

Region 1	<i>CT, ME, MA, NH, RI, VT</i>	(617) 918-1064 (888) 372-7341*
Region 2	<i>NJ, NY, Puerto Rico, Virgin Islands</i>	(212) 637-3675 (800) 346-5009*
Region 3	<i>DE, DC, MD, PA, VA, WV</i>	(215) 814-5131 (800) 553-2509*
Region 4	<i>AL, FL, GA, MS KY, NC, SC, TN</i>	(404) 562-9947 (800) 564-7577
Region 5	<i>IL, IN, MI, MN, OH, WI</i>	(312) 353-2072 (800) 621-8431*
Region 6	<i>AR, LA, NM, OK, TX</i>	(214) 665-8157 (800) 533-3508*
Region 7	<i>IA, KS, MO, NE</i>	(913) 551-7003 (800) 223-0425*
Region 8	<i>CO, MT, ND, SD, UT, WY</i>	(303) 312-6312 (800) 227-8917*
Region 9	<i>AZ, CA, HI, NV, U.S. Territories</i>	(415) 744-2178 (800) 231-3075*
Region 10	<i>AK, ID, OR, WA</i>	(206) 553-1352 (800) 424-4372*

*800 and 888 numbers only work within the Region except Region 4



United States
Environmental Protection
Agency (5204G)
Washington, DC 20460

Official Business
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Lead – ToxFAQs™

CAS # 7439-92-1

This fact sheet answers the most frequently asked health questions (FAQs) about lead. For more information, call the CDC Information Center at 1-800-232-4636. This fact sheet is one in a series of summaries about hazardous substances and their health effects. It is important you understand this information because this substance may harm you. The effects of exposure to any hazardous substance depend on the dose, the duration, how you are exposed, personal traits and habits, and whether other chemicals are present.

HIGHLIGHTS: Exposure to lead can happen from breathing workplace air or dust, eating contaminated foods, or drinking contaminated water. Children can be exposed from eating lead-based paint chips or playing in contaminated soil. Lead can damage the nervous system, kidneys, and reproductive system. Lead has been found in at least 1,272 of the 1,684 National Priority List (NPL) sites identified by the Environmental Protection Agency (EPA).

What is lead?

Lead is a naturally occurring bluish-gray metal found in small amounts in the earth's crust. Lead can be found in all parts of our environment. Much of it comes from human activities including burning fossil fuels, mining, and manufacturing.

Lead has many different uses. It is used in the production of batteries, ammunition, metal products (solder and pipes), and devices to shield X-rays. Because of health concerns, lead from paints and ceramic products, caulking, and pipe solder has been dramatically reduced in recent years. The use of lead as an additive to gasoline was banned in 1996 in the United States.

What happens to lead when it enters the environment?

- Lead itself does not break down, but lead compounds are changed by sunlight, air, and water.
- When lead is released to the air, it may travel long distances before settling to the ground.
- Once lead falls onto soil, it usually sticks to soil particles.
- Movement of lead from soil into groundwater will depend on the type of lead compound and the characteristics of the soil.

How might I be exposed to lead?

- Eating food or drinking water that contains lead. Water pipes in some older homes may contain lead solder.

- Using health-care products or folk remedies that contain lead.

How can lead affect my health?

The effects of lead are the same whether it enters the body through breathing or swallowing. Lead can affect almost every organ and system in your body. The main target for lead toxicity is the nervous system, both in adults and children. Long-term exposure of adults can result in decreased performance in some tests that measure functions of the nervous system. It may also cause weakness in fingers, wrists, or ankles. Lead exposure also causes small increases in blood pressure, particularly in middle-aged and older people and can cause anemia. Exposure to high lead levels can severely damage the brain and kidneys in adults or children and ultimately cause death. In pregnant women, high-levels of exposure to lead may cause miscarriage. High-level exposure in men can damage the organs responsible for sperm production.

How likely is lead to cause cancer?

We have no conclusive proof that lead causes cancer in humans. Kidney tumors have developed in rats and mice that had been given large doses of some kind of lead compounds. The Department of Health and Human Services (DHHS) has determined that lead and lead compounds are reasonably anticipated to be human carcinogens and the EPA has determined that

Lead

CAS # 7439-92-1

How can lead affect children?

Small children can be exposed by eating lead-based paint chips, chewing on objects painted with lead-based paint, or swallowing house dust or soil that contains lead.

Children are more vulnerable to lead poisoning than adults. A child who swallows large amounts of lead may develop blood anemia, severe stomachache, muscle weakness, and brain damage. If a child swallows smaller amounts of lead, much less severe effects on blood and brain function may occur. Even at much lower levels of exposure, lead can affect a child's mental and physical growth.

Exposure to lead is more dangerous for young and unborn children. Unborn children can be exposed to lead through their mothers. Harmful effects include premature births, smaller babies, decreased mental ability in the infant, learning difficulties, and reduced growth in young children. These effects are more common if the mother or baby was exposed to high levels of lead. Some of these effects may persist beyond childhood.

How can families reduce the risks of exposure to lead?

- Avoid exposure to sources of lead.
- Do not allow children to chew or mouth surfaces that may have been painted with lead-based paint.
- If you have a water lead problem, run or flush water that has been standing overnight before drinking or cooking with it.
- Some types of paints and pigments that are used as make-up or hair coloring contain lead. Keep these kinds of products away from children.
- If your home contains lead-based paint or you live in an area contaminated with lead, wash children's hands and faces often to remove lead dusts and soil, and regularly clean the house of dust and tracked in soil.

Is there a medical test to determine whether I've been exposed to lead?

A blood test is available to measure the amount of lead in your blood and to estimate the amount of your recent exposure

to lead. Blood tests are commonly used to screen children for lead poisoning. Lead in teeth or bones can be measured by X-ray techniques, but these methods are not widely available. Exposure to lead also can be evaluated by measuring erythrocyte protoporphyrin (EP) in blood samples. EP is a part of red blood cells known to increase when the amount of lead in the blood is high. However, the EP level is not sensitive enough to identify children with elevated blood lead levels below about 25 micrograms per deciliter ($\mu\text{g}/\text{dL}$). These tests usually require special analytical equipment that is not available in a doctor's office. However, your doctor can draw blood samples and send them to appropriate laboratories for analysis.

Has the federal government made recommendations to protect human health?

The Centers for Disease Control and Prevention (CDC) recommends that states test children at ages 1 and 2 years. Children should be tested at ages 3–6 years if they have never been tested for lead, if they receive services from public assistance programs for the poor such as Medicaid or the Supplemental Food Program for Women, Infants, and Children, if they live in a building or frequently visit a house built before 1950; if they visit a home (house or apartment) built before 1978 that has been recently remodeled; and/or if they have a brother, sister, or playmate who has had lead poisoning. CDC has updated its recommendations on children's blood lead levels. Experts now use an upper reference level value of 97.5% of the population distribution for children's blood lead. In 2012–2015, the value to identify children with blood lead levels that are much higher than most children have, is 5 micrograms per deciliter ($\mu\text{g}/\text{dL}$). EPA limits lead in drinking water to 15 μg per liter.

References

Agency for Toxic Substances and Disease Registry (ATSDR). 2007. Toxicological Profile for lead (Update). Atlanta, GA: U.S. Department of Public Health and Human Services, Public Health Service.

United States of America, State of Indiana,
v.
Atlantic Richfield Company and E.I. Du Pont De Nemours and Company
No. 2:14-cv-00312

Memorandum in Opposition to Applicants' Motion to Intervene

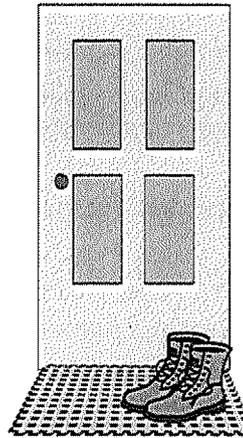
Attachment C-19 to Janet Pope Declaration:
EPA Flyer (Zone 1) (undated): "Don't Let Kids Play in Dirt"

DON'T LET KIDS PLAY IN DIRT - they could be exposed to high levels of lead.

What is lead and why is it dangerous



Do not let children play in bare dirt



Children and adults should remove shoes before walking into home



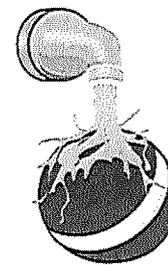
Don't eat food, chew gum, or smoke when working in the yard and wear gloves



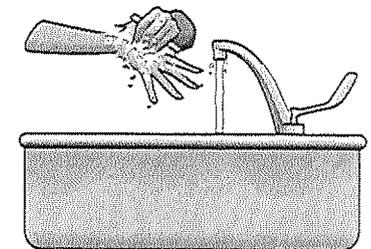
Damp mop floors and damp dust counters and furniture regularly



Wash dogs regularly



Wash children's toys and babies' pacifiers regularly



Wash children's hands and feet after they have been playing outside



**USS Lead Site
Zone 1**



What is lead and why is it dangerous?

High levels of lead have been found in yards in the West Calumet Housing project in East Chicago. Exposure to high levels of lead can cause a range of health effects, from behavioral problems and learning disabilities to seizures and death. Children 6 years old and younger are most at-risk because their bodies are growing quickly and the effects of the lead can cause problems. Children often have higher levels of exposure because they play in dirt and may put dirty hands in their mouths. Also, children who lack proper nutrition may absorb more lead and suffer more harmful effects.

Lead is a naturally occurring heavy metal. It is commonly found at low levels in soil. Low levels of lead can be found in the air, water, food and dust in cities because of the widespread use of lead in man-made products. The federal government regulates the amount of lead in the air, water and soil.

Eating or swallowing soil with high lead levels is a common way of getting lead into your body. Children get lead in their bodies when they put their hands, toys or other items covered with lead dust in their mouths. When lead gets into your body, it may cause health problems.

Do not let children play in dirt that contains high amounts of lead.

- Have children play on grass or in areas covered with lead-free mulch, wood chips or sand.
- Keep children from playing in bare dirt.
- Cover bare dirt with grass, bushes or 4 to 6 inches of lead-free wood chips, mulch, soil or sand.

Protect your family from lead-based paint in the yard.

- Keep your family, especially young children, away from areas in the yard where paint is peeling or chipping, such as from old porches, fences, or houses.
- Do not try to remove lead paint yourself unless you have been trained to follow lead-safe work practices. Hire a professional lead specialist who follows lead-safe work practices.
- If you paint over lead-based paint, use special paint that will seal in the old paint.

Keep children's hands and toys clean.

- Wash children's hands before they eat any food if they have been playing outside.
- When eating outdoors, always eat in an area where there is no bare soil.
- Do not let your children put toys, dirty hands, paint chips, or other things that might have lead dust on them into their mouths

USS Lead Site East Chicago, IN

For further information
about the EPA investigation:

EPA Contacts:

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Janet Pope
Community Involvement
Coordinator
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800-621-8431, Ext. 30628
pope.janet@epa.gov

Questions about lead health
concerns, contact:

Mark Johnson, PhD
Toxicologist
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mdjohnson@cdc.gov

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Environ. Health Scientist
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United States of America, State of Indiana,
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No. 2:14-cv-00312

Memorandum in Opposition to Applicants' Motion to Intervene

Attachment C-20 to Janet Pope Declaration:
July 2016 Fact Sheet: "EPA Takes Action to Reduce Exposure to Lead in Soil"

EPA Takes Action to Reduce Exposure to Lead in Soil

West Calumet Housing Complex

East Chicago, Indiana

July 2016

For more information

For questions, comments or for more information contact these EPA team members:

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EPA Region 5 toll-free:
800-621-8431, 8 a.m. – 4 p.m.,
weekdays

*For questions or concerns about
lead health contact:*

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ATSDR-R5
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mdjohnson@cdc.gov

Motria Caudill

Environmental Health Scientist
ATSDR-R5
312-886-0267
mcaudill@cdc.gov

U.S. Environmental Protection Agency is taking action to protect residents from lead-contaminated soil in the West Calumet Housing Complex in East Chicago, Ind. EPA responders will manage potential exposure to lead by covering patches of bare dirt at the complex with mulch. They will also spread mulch at a local playground. The mulch will temporarily provide a barrier until EPA can dig up and remove the contaminated soil. Residents should avoid disturbing the mulch.

During the response action this month, EPA installed raised plastic edging with a shredded recycled brown rubber mulch at the playground in Goodman Park. The mulch is certified for use at playgrounds. Next, EPA will cover bare dirt in residential yards with triple-shredded, hardwood mulch.

Later this summer, the Agency will remove contaminated soil from housing complex yards where experts have identified the highest lead levels. To find out whether contaminated soil from the yards may have been tracked into homes, EPA will also be testing some homes by collecting dust samples from flat surfaces, floors and carpeting.

These actions are part of a larger effort to clean up the USS Lead Superfund site.



Residents may notice workers covering patches of bare soil with mulch.



EPA covered patches of bare-soil in the playground area at Goodman Park with mulch.

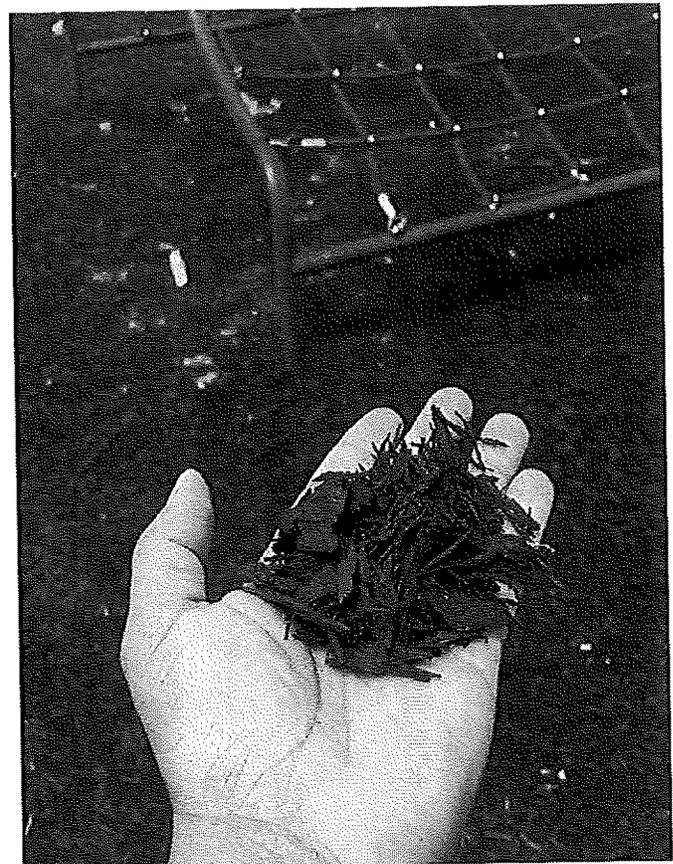
To ensure the health and safety of children, the federal Agency for Toxic Substances and Disease Registry, or ATSDR, advises parents to prevent children from playing in dirt or mulch, to wash their children's toys regularly and to wash children's hands after they play outside. All residents should remove shoes before walking into their homes. ATSDR officials also recommend residents in the West Calumet Housing Complex not disturb the mulch or dig or garden in their yards.

EPA and ATSDR staff have been going door-to-door providing information to residents about steps they can take to reduce exposure to lead contamination. EPA is working closely with the city of East Chicago and the East Chicago Public Housing Authority.

West Calumet residents may have their children's blood lead levels tested by calling the East Chicago Health Department at 219-391-8467.

To learn about preventing childhood exposure to lead, visit <http://www.cdc.gov/nceh/lead/parents.htm>.

More information about the history of the USS Lead Superfund site is available at <http://www.epa.gov/superfund/ussmelter-lead-refinery>.



A small batch of shredded rubber mulch installed over bare dirt around a playground area at Goodman Park and around West Calumet housing complex.

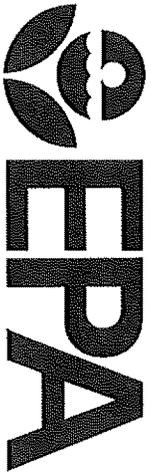
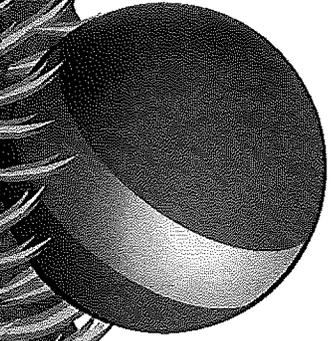
United States of America, State of Indiana,
v.
Atlantic Richfield Company and E.I. Du Pont De Nemours and Company
No. 2:14-cv-00312

Memorandum in Opposition to Applicants' Motion to Intervene

Attachment C-21 to Janet Pope Declaration:

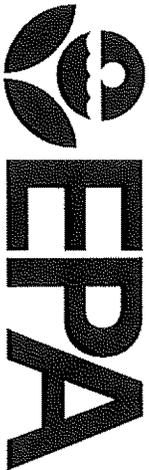
Photo of Yard Signs: "Do Not Play in Dirt"

**DO NOT
PLAY IN THE DIRT OR
AROUND THE MULCH**



NO

JUGAR EN LA TIERRA O JUNTO AL MANTILLO DE MADERA TRITURADA



United States of America, State of Indiana,
v.
Atlantic Richfield Company and E.I. Du Pont De Nemours and Company
No. 2:14-cv-00312

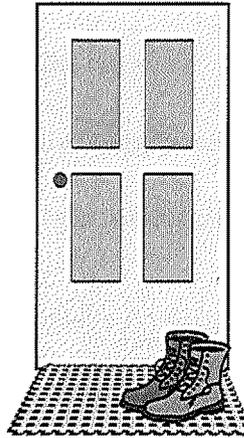
Memorandum in Opposition to Applicants' Motion to Intervene

Attachment C-22 to Janet Pope Declaration:
EPA Flyer (Zone 1): "Don't Let Kids Play in Dirt"

DON'T LET KIDS PLAY IN DIRT – they could be exposed to high levels of lead. *This flyer has information to help keep you safe.*



Do not let children play in bare dirt



Children and adults should remove shoes before walking into home



Don't eat food, chew gum, or smoke when working in the yard and wear gloves



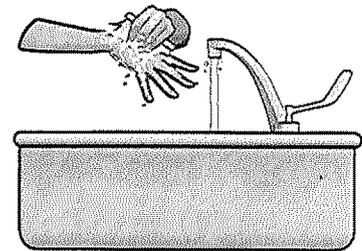
Damp mop floors and damp dust counters and furniture regularly



Wash dogs regularly



Wash children's toys and babies' pacifiers regularly



Wash children's hands and feet after they have been playing outside



**USS Lead Site
Zone 1**



What is lead and why is it dangerous?

High levels of lead have been found in yards in the West Calumet Housing Complex in East Chicago. Exposure to high levels of lead can cause a range of health effects, from behavioral problems and learning disabilities to seizures and death. Children 6 years old and younger are most at-risk because their bodies are growing quickly and the effects of the lead can cause problems. Children often have higher levels of exposure because they play in dirt and may put dirty hands in their mouths. Also, children who lack proper nutrition may absorb more lead and suffer more harmful effects.

Lead is a naturally occurring heavy metal. It is commonly found at low levels in soil. Low levels of lead can be found in the air, water, food and dust in cities because of the widespread use of lead in man-made products. The federal government regulates the amount of lead in the air, water and soil. The levels of lead at the West Calumet Housing Complex are much higher than normal levels because of past industrial operations at the property.

Eating or swallowing soil with high lead levels is a common way of getting lead into your body. Children get lead in their bodies when they put their hands, toys or other items covered with lead dust in their mouths. When lead gets into your body, it may cause health problems.

Do not let children play in dirt that contains high amounts of lead.

- Have children play on grass.
- Keep children from playing in bare dirt or mulch.
- Cover bare dirt with grass, bushes or 4 to 6 inches of lead-free wood chips, mulch, soil or sand.

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- Do not let your children put toys, dirty hands, paint chips, or other things that might have lead dust on them into their mouths

West Calumet residents may have their children's blood lead tested by calling the East Chicago Health Department at 219-391-8467.

USS Lead Site East Chicago, IN

For further information about the EPA investigation:

EPA Contacts:

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312-886-7278 or toll-free at
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Brad Benning
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Questions about lead health concerns, contact:

Mark Johnson, PhD
Toxicologist
ATSDR-R5
312-886-0840
mjohnson@cdc.gov

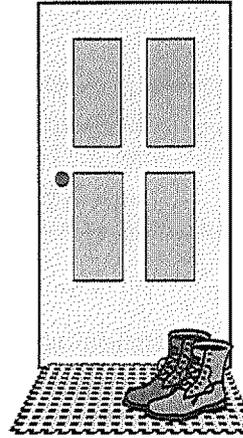
Motria Caudill, PhD
Environ. Health Scientist ATSDR-R5
312-886-0267
mcaudill@cdc.gov

NO PERMITA QUE LOS NIÑOS JUEGUEN EN LA TIERRA – podrían estar expuestos a altos niveles de plomo

Este volante tiene información para ayudarle a mantenerse saludable.



No permita que los niños jueguen en la tierra



Los niños y los adultos deben quitarse los zapatos antes de entrar a la casa



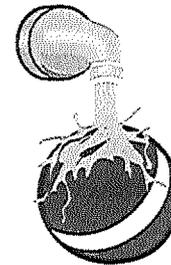
No comer, masticar chicle o fumar cuando se trabaja en el patio, y use guantes



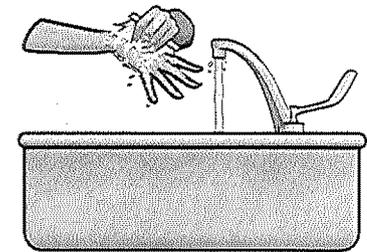
Trapee los pisos y limpie los muebles regularmente con trapo húmedo



BaÑe los perros regularmente



Lave los juguetes de niños y los chupones para bebés regularmente



Lave las manos y los pies de los niños después de que hayan estado jugando afuera



USS Lead Site
Zone 1



¿Qué es el plomo y por qué es peligroso?

Se han encontrado altos niveles de plomo en los patios del Complejo de Vivienda de West Calumet en East Chicago. La exposición a altos niveles de plomo puede causar una serie de efectos sobre la salud, desde problemas de conducta y dificultades de aprendizaje hasta convulsiones y la muerte. Los niños de 6 años o menores están en mayor riesgo porque sus cuerpos están creciendo rápidamente y los efectos del plomo pueden causar problemas. Con frecuencia, los niños tienen niveles más altos de exposición, ya que juegan en la tierra y pueden meterse las manos sucias a la boca. Además, los niños que no tienen una nutrición adecuada pueden absorber más plomo y sufrir más efectos dañinos.

El plomo es un metal pesado que ocurre naturalmente. Se encuentra comúnmente en la tierra en niveles bajos. Niveles bajos de plomo pueden ser encontrados en el aire, el agua, los alimentos y el polvo en las ciudades debido al uso generalizado de plomo en productos artificiales. El gobierno federal regula la cantidad de plomo en el aire, agua y suelo. Los niveles de plomo en West Calumet Housing Complex son mucho más altos que los niveles normales a causa de las operaciones industriales anteriores en la propiedad.

Ingerir o comer tierra que contiene altos niveles de plomo es una forma común de captar el plomo en su cuerpo. Los niños reciben plomo en sus cuerpos cuando ponen las manos, juguetes y otros objetos cubiertos con polvo de plomo en sus bocas. Cuando el plomo entra a su cuerpo, puede causar problemas de salud.

No deje que los niños jueguen en la tierra que contiene altas cantidades de plomo.

- Haga que los niños jueguen en el pasto
- No deje que los niños jueguen en la tierra suelta o en el mantillo de madera triturada.
- Cubra la tierra expuesta con pasto, arbustos o 4 a 6 pulgadas de material libre de plomo como madera triturada, abono, tierra o arena.

Proteja a su familia de la pintura a base de plomo en el patio.

- Mantenga a su familia, especialmente a los niños pequeños, lejos de las áreas en el patio donde la pintura se esté desprendiendo o despedazando, tales como los porches, barandales, o casas viejos.
- No trate de quitar la pintura con plomo al menos que haya sido entrenado para seguir las prácticas seguras de trabajo con el plomo. Contrate a un profesional especialista en plomo que siga las prácticas seguras de trabajo con el plomo.
- Si pinta sobre la pintura a base de plomo, utilice pintura especial que sellará la pintura vieja.

Mantenga limpias las manos y los juguetes de los niños.

- Lave las manos de los niños antes de comer cualquier alimento si han estado jugando afuera.
- Al comer al aire libre, siempre coman en un área donde no haya tierra al descubierto.
- No permita que sus hijos se metan juguetes, manos sucias, trozos de pintura, u otras cosas que puedan tener polvo de plomo en sus bocas.

Los residentes de West Calumet pueden obtener un análisis de sangre para medir el plomo en sus niños llamando al Departamento de Salud de East Chicago al 219-391-8467.

USS Lead Site East Chicago, IN

Para más información sobre la investigación de la EPA:

Contactos de EPA:

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Timothy Drexler
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Brad Benning
On-Scene Coordinator
312-353-7613 or toll-free at 800-621-8431, ext. 37613
benning.bradley@epa.gov

Para preguntas sobre problemas de salud relacionadas con el plomo, comuníquese con:

Mark Johnson, PhD
Toxicólogo ATSDR-R5
312-886-0840
mdjohnson@cdc.gov

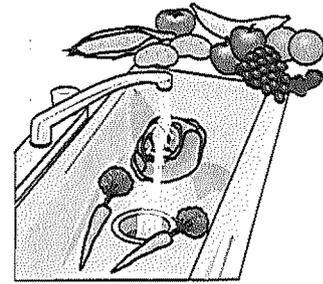
Motria Caudill, PhD
Científica de Salud Medioambiental ATSDR-R5
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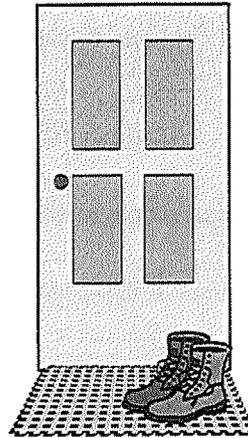
Memorandum in Opposition to Applicants' Motion to Intervene

Attachment C-23 to Janet Pope Declaration:
EPA Flyer (Zones 2&3): "Don't Let Kids Play in Dirt"

DON'T LET KIDS PLAY IN DIRT – they could be exposed to high levels of lead. *This flyer has information to help keep you safe.*



Wash and peel all garden vegetables and fruits and avoid growing root crops (such as carrots, beets, potatoes)



Wipe shoes on doormat or remove shoes



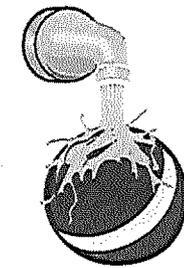
Don't eat food, chew gum, or smoke when working in the yard and wear gloves



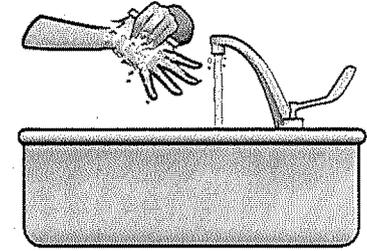
Damp mop floors and damp dust counters and furniture regularly



Wash dogs regularly



Wash children's toys and babies' pacifiers regularly



Wash children's hands and feet after they have been playing outside



USS Lead Site Zones 2 and 3



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Keep children's hands and toys clean.

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- Do not let your children put toys, dirty hands, paint chips, or other things that might have lead dust on them into their mouths

Residents may have their children's blood lead tested by calling the East Chicago Health Department at 219-391-8467.

USS Lead Site East Chicago, IN

For further information about the EPA investigation:

EPA Contacts:

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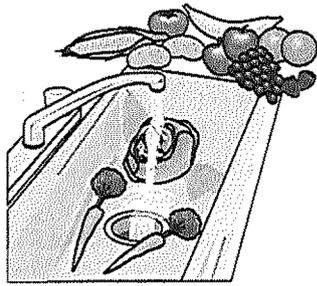
Questions about lead health concerns, contact:

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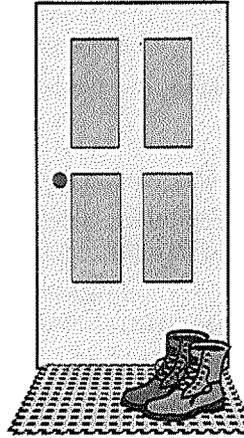
Motria Caudill, PhD
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NO PERMITA QUE LOS NIÑOS JUEGUEN EN LA TIERRA – podrían estar expuestos a altos niveles de plomo

Este volante tiene información para ayudarle a mantenerse saludable.



Lave y pele todas las verduras y frutas de jardín y evite cultivos de raíces (como zanahorias, remolachas, papas)



Los niños y los adultos deben quitarse los zapatos antes de entrar a la casa



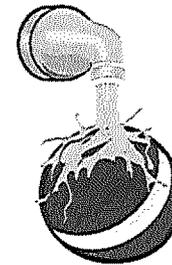
No comer, masticar chicle o fumar cuando se trabaja en el patio, y use guantes



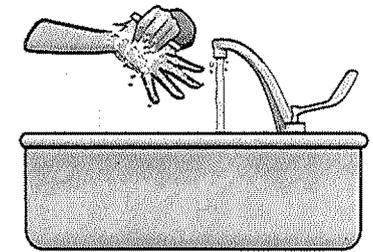
Trapee los pisos y limpie los muebles regularmente con trapo húmedo



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Lave las manos y los pies de los niños después de que hayan estado jugando afuera



**USS Lead Site
Zones 2 and 3**



¿Qué es el plomo y por qué es peligroso?

La exposición a altos niveles de plomo puede causar una serie de efectos sobre la salud, desde problemas de conducta y dificultades de aprendizaje hasta convulsiones y la muerte. Los niños de 6 años o menores están en mayor riesgo porque sus cuerpos están creciendo rápidamente y los efectos del plomo pueden causar problemas. Con frecuencia, los niños tienen niveles más altos de exposición, ya que juegan en la tierra y pueden meterse las manos sucias a la boca. Además, los niños que no tienen una nutrición adecuada pueden absorber más plomo y sufrir más efectos dañinos.

El plomo es un metal pesado que ocurre naturalmente. Se encuentra comúnmente en la tierra en niveles bajos. Niveles bajos de plomo pueden ser encontrados en el aire, el agua, los alimentos y el polvo en las ciudades debido al uso generalizado de plomo en productos artificiales. El gobierno federal regula la cantidad de plomo en el aire, agua y suelo.

Ingerir o comer tierra que contiene altos niveles de plomo es una forma común de captar el plomo en su cuerpo. Los niños reciben plomo en sus cuerpos cuando ponen las manos, juguetes y otros objetos cubiertos con polvo de plomo en sus bocas.

Cuando el plomo entra a su cuerpo, puede causar problemas de salud.

No deje que los niños jueguen en la tierra que contiene altas cantidades de plomo.

- Haga que los niños jueguen en el pasto
- No deje que los niños jueguen en la tierra suelta o en el mantillo de madera triturada.
- Cubra la tierra expuesta con pasto, arbustos o 4 a 6 pulgadas de material libre de plomo como madera triturada, abono, tierra o arena.

Proteja a su familia de la pintura a base de plomo en el patio.

- Mantenga a su familia, especialmente a los niños pequeños, lejos de las áreas en el patio donde la pintura se esté desprendiendo o despedazando, tales como los porches, barandales, o casas viejos.
- No trate de quitar la pintura con plomo al menos que haya sido entrenado para seguir las prácticas seguras de trabajo con el plomo. Contrate a un profesional especialista en plomo que siga las prácticas seguras de trabajo con el plomo.
- Si pinta sobre la pintura a base de plomo, utilice pintura especial que sellará la pintura vieja.

Mantenga limpias las manos y los juguetes de los niños.

- Lave las manos de los niños antes de comer cualquier alimento si han estado jugando afuera.
- Al comer al aire libre, siempre coman en un área donde no haya tierra al descubierto.
- No permita que sus hijos se metan juguetes, manos sucias, trozos de pintura, u otras cosas que puedan tener polvo de plomo en sus bocas.

Los residentes pueden obtener un análisis de sangre para medir el plomo en sus niños llamando al Departamento de Salud de East Chicago al 219-391-8467.

USS Lead Site East Chicago, IN

Para más información sobre la investigación de la EPA:

Contactos de EPA:

Thomas Alcamo
Administrador del Proyecto de Restauración, 312-886-7278 or toll-free at 800-621-8431, ext. 6-7278
alcamo.thomas@epa.gov

Timothy Drexler
Administrador del Proyecto de Restauración, 312-353-4367, or toll-free at 800-621-8431, ext. 34367
drexler.timothy@epa.gov

Janet Pope
Coordinadora de Participación Comunitaria
312-353-0628 or toll-free at 800-621-8431, Ext. 30628
pope.janet@epa.gov

Brad Benning
On-Scene Coordinator
312-353-7613 or toll-free at 800-621-8431, ext. 37613
benning.bradley@epa.gov

Para preguntas sobre problemas de salud relacionadas con el plomo, comuníquese con:

Mark Johnson, PhD
Toxicólogo ATSDR-R5
312-886-0840
mdjohnson@cdc.gov

Motria Caudill, PhD
Científica de Salud Medioambiental ATSDR-R5
312-886-0267
mcaudill@cdc.gov

United States of America, State of Indiana,
v.
Atlantic Richfield Company and E.I. Du Pont De Nemours and Company
No. 2:14-cv-00312

Memorandum in Opposition to Applicants' Motion to Intervene

Attachment C-24 to Janet Pope Declaration:
September 2016 Fact Sheet: "EPA to Begin Cleaning Up Lead-Contaminated Yards"



EPA To Begin Cleaning Up Lead-Contaminated Yards

U.S. Smelter and Lead Refinery Superfund Site

East Chicago, Indiana

September 2016

Contact information

Janet Pope

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 Coordinadora de participación comunitaria
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 pope.janet@epa.gov

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Tom Alcamo

Remedial Project Manager
 Administrador del proyecto de restauración
 312-886-7278
 alcamo.thomas@epa.gov

You may call EPA toll-free at 800-621-8431, 8:30 a.m. – 4:30 p.m., weekdays.

Puede llamar a la EPA sin costo al 800-621-8431, 8:30 a.m. – 4:30 p.m., entre semana

Access agreements

EPA may contact you and ask you to sign a document called an access agreement. The access agreement allows EPA to come onto your property to collect soil samples and clean your property.

Acuerdo de Acceso

La EPA podría comunicarse con usted para pedirle que firme un documento llamado acuerdo de acceso. El acuerdo de acceso permite que la EPA vaya a su propiedad para tomar muestras de tierra y limpie su propiedad.

U.S. Environmental Protection Agency will soon begin cleaning up contaminated soil in parts of East Chicago's Calumet neighborhood with no cost to the homeowner.

Zone 3

EPA and the state of Indiana have reached an agreement with Atlantic Richfield Co. and E.I. Du Pont De Nemours and Co. for the two companies to fund the cleanup project.

Soil in the Calumet neighborhood, which is part of the USS Lead Superfund site, contains high levels of lead and arsenic. EPA will clean up Zone 3 under this agreement starting this month (see map, Page 2).

Zone 3 contains 468 properties and officials received access to sample 411. EPA is notifying property owners about the sampling results. If your property meets the criteria for cleanup, EPA will contact you to discuss the next steps. If you have not received your sampling results, please contact Tim Drexler or Tom Alcamo (see box to left).

EPA will prioritize properties for cleanup based on lead and arsenic levels found in the samples. Before work begins, EPA officials will meet with each property owner to discuss details of the cleanup on their property. In general, workers will dig up and remove contaminated soil about 2-feet deep and replace it with clean soil, including 6 inches of topsoil. Then they will put sod on the clean soil, restoring each yard to the condition it was in before work began – all at no cost to the homeowner. ARC and DuPont will transport the contaminated soil to a licensed landfill for proper disposal.

Zone 2

Preliminary results from soil testing in Zone 2 of the USS Lead Superfund site show lead and arsenic levels at some properties that warrant further action. While the results are still being finalized, EPA is preparing to begin cleanups this fall. Based on the early results, at least 20 properties out of the 136 sampled will be targeted for cleanup this construction season, weather permitting.

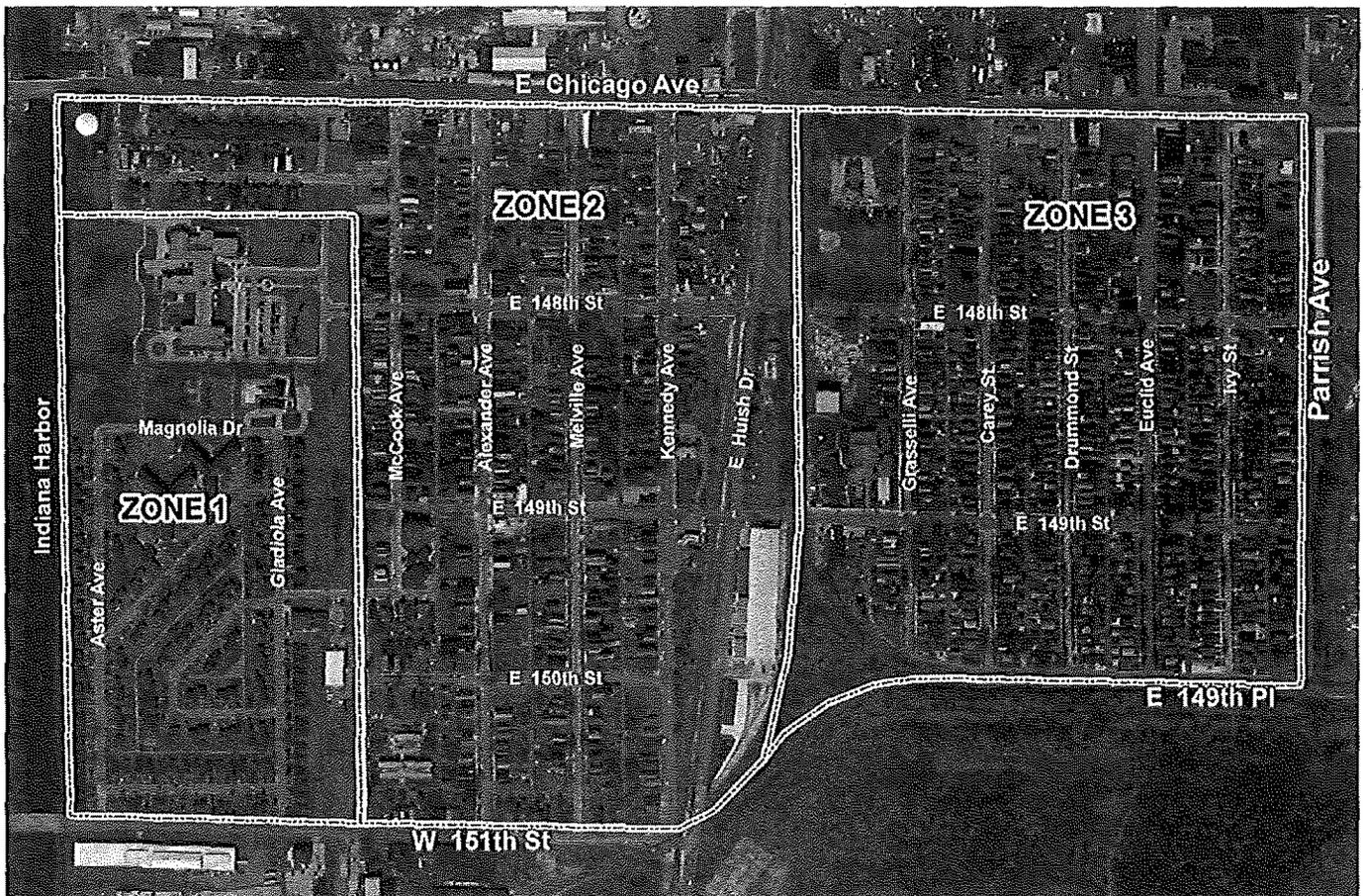
This summer, EPA began testing properties in Zone 2 to develop an engineering plan for the cleanup of the entire site. Starting at the south edge of the zone – closest to the former USS Lead factory – to date EPA has sampled soil from 136 properties out of 590. EPA will finish sampling this year and will deal with properties needing cleanup in the spring.

EPA will notify residents as soon as final, validated sampling results become available for their properties and then outline the next steps. EPA will post the data on its website after removing personally identifiable information, including street addresses.

Site location and history

The USS Lead site comprises two areas called “operable units.” Operable Unit 1, or OUI, is a 322-acre residential area bounded by East Chicago Avenue on the north, East 151st Street on the south, the Indiana Harbor Canal on the west and Parrish Avenue on the east. OU2 is the former USS Lead facility on 151st Street. EPA often divides sites into OUs based on how the land was used; in this case residential versus industrial use. OUI was then divided into three zones. Zone 1 is the West Calumet Housing Project; EPA is currently cleaning homes in Zone 1.

On Nov. 30, 2012, EPA issued its final cleanup plan for OUI, the residential area. The plan includes removal and off-site disposal of soil with lead concentrations exceeding 400 milligrams per kilogram, or mg/kg, and arsenic concentrations exceeding 26 mg/kg.



Map showing OUI, the residential area of the site. An agreement has been reached on cleanup work in Zones 1 and 3. Work in Zone 2 will be done under a separate agreement.

El mapa muestra OUI, el área residencial del sitio. Se ha llegado a un acuerdo para las obras de limpieza en las Zonas 1 y 3. El trabajo en la Zona 2 se hará bajo un acuerdo por separado.

EPA empieza a limpiar patios contaminados por plomo

Sitio de Superfund U.S. Smelter and Lead Refinery
East Chicago, Indiana

Septiembre de 2016

La Agencia de Protección Ambiental de los EE. UU. (EPA, por sus siglas en inglés) comenzará próximamente a limpiar la tierra contaminada en partes del barrio Calumet de East Chicago.

Zona 3

En 2014, la EPA y el estado de Indiana llegaron a un acuerdo con Atlantic Richfield Co. y E.I. Du Pont De Nemours and Co., mediante el cual las dos compañías financiarán el proyecto de limpieza.

La tierra en el barrio Calumet, el cual es parte del sitio Superfund llamado USS Lead, contiene niveles elevados de plomo y arsénico. La parte residencial del sitio fue dividida en tres zonas. La EPA limpiará la Zona 3 bajo este acuerdo. *(Vea el mapa en la página 2.)*

La Zona 3 contiene 468 propiedades. La EPA recibió consentimientos de acceso para tomar muestras en 411 de esas propiedades. La EPA ha comenzado a notificar a los dueños de las propiedades los resultados de las muestras tomadas en sus propiedades. Si su propiedad cumple con los criterios para la limpieza, la EPA se pondrá en contacto con usted para hablar de los siguientes pasos. Si usted aún no ha recibido sus resultados de las muestras, por favor comuníquese con Tim Drexler o Tom Alcamo. *(Vea el recuadro en la página 1.)*

La EPA dará prioridad de limpieza a las propiedades basándose en los niveles de plomo y arsénico encontrados en las muestras tomadas. Antes de empezar las obras, oficiales de la EPA se reunirán con cada dueño de propiedad para hablar sobre los detalles de la limpieza en su propiedad. En general, los trabajadores van a excavar y eliminar la tierra contaminada hasta alrededor de 2 pies de profundidad, y la reemplazarán con tierra impoluta, incluyendo 6 pulgadas con tierra de cultivo. Luego pondrán césped sobre la tierra limpia, restaurando cada patio a la condición en la que estaba antes de que el trabajo comenzara – todo sin costo alguno para el dueño. Las compañías ARC y DuPont transportarán la tierra contaminada a un vertedero aprobado para su disposición adecuada.

Zona 2

Los resultados preliminares del análisis de muestras de tierra en la zona 2 muestran que los niveles de plomo y arsénico en algunas propiedades requieren la toma de acciones adicionales. Mientras los resultados están siendo finalizados, la EPA se está preparando para iniciar con las limpiezas este otoño. Basándose en los primeros resultados, hay por lo menos 20 propiedades de las 136 analizadas que serán elegidas para ser limpiadas esta temporada de construcción, si el clima lo permite.

Este verano, la EPA comenzó a analizar muestras de propiedades en la zona 2 para crear un plan de ingeniería que guiará la limpieza en todo el sitio. Comenzando con el borde sur de la zona – lo más cercano a la antigua fábrica de USS Lead – hasta la fecha la EPA ha tomado muestras de 136 propiedades del total de 590. La EPA terminará la toma de muestras este año, y continuará tomando acciones en las propiedades que requieran limpieza en la primavera.

La EPA les notificará a los residentes los resultados tan pronto se finalicen y validen para sus propiedades, e les indicará los siguientes pasos. La información también será publicada en el sitio web de la EPA, pero se eliminarán datos personales tales como la dirección de la propiedad.

Ubicación e historia del sitio

El sitio USS Lead está compuesto de dos áreas llamadas unidades operables o "OUs". La Unidad Operable 1, también conocida como OU1, es un área residencial de 322 acres limitada por East Chicago Avenue al norte, East 151st Street al sur, el Canal de Indiana Harbor al oeste, y Parrish Avenue al este. OU2 tiene las antiguas instalaciones de USS Lead en 151st Street. La EPA por lo general divide los sitios en OUs de acuerdo a como se usaba el terreno; en este caso hay uso residencial e industrial.

El 30 de noviembre de 2012, la EPA emitió su plan final de limpieza para OU1, que es el área residencial. El plan incluye la eliminación y disposición fuera del sitio de la tierra con concentraciones de plomo superiores a 400 miligramos por kilogramo, o mg/kg, y concentraciones de arsénico superiores a 26 mg/kg.

**USS LEAD SITE: EPA to Begin Cleaning Up Yards
La EPA Comenzará a Limpiar Patios**

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United States
Environmental Protection
Agency
Region 5
Superfund Division (I-7J)
177 West Jackson Blvd
Chicago, IL 60604-3590



United States of America, State of Indiana,
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Attachment C-25 to Janet Pope Declaration:
Invitation to USS Lead Site Open House, September 24, 2016

**Open House Set for****Saturday, Sept. 24 from 2 – 5 p.m.**

U.S. Environmental Protection Agency will hold an open house to provide information on sampling and cleanup of contaminated soil in Zones 2 and 3 of the USS Lead site. Residents can drop by anytime to speak to an EPA representative. Details of the open house are:

Saturday, Sept. 24, 2016

2:00 – 5:00 p.m.

Riley Park

1005 E. Chicago Ave.

East Chicago

For questions or more information, contact Janet Pope at 312-353-0628, pope.janet@epa.gov or EPA toll-free 800-621-8431, Ext. 30628, 9:30 a.m. – 4:30 p.m., weekdays.

Sesión Abierta al Público**Sábado 24 de Septiembre de 2 a 5 p.m.**

La Agencia de Protección Ambiental de los EE. UU. (U.S. EPA, por sus siglas en inglés) tendrá una sesión abierta al público en la cual proveerá información sobre la toma de muestras y limpieza de tierra contaminada en las zonas 2 y 3 del sitio USS Lead. Los residentes del área pueden ir a cualquier hora entre 2 – 5 p.m. y hablar en persona con un representante de la EPA. Habrá un traductor en español disponible. Los detalles de la sesión abierta son los siguientes:

Sábado 24 de Septiembre de 2016

2:00 – 5:00 p.m.

Riley Park

1005 E. Chicago Ave.

East Chicago

Si tiene alguna pregunta o necesita mayor información, comuníquese con Charles Rodriguez al 312-886-7472 o por correo electrónico a rodriguez.charles@epa.gov, o larga distancia sin costo al 800-621-8431, Ext. 67472, 9:30 a.m. – 4:30 p.m., entre semana.